

HOUSE OF REPRESENTATIVES—Thursday, March 11, 1993

The House met at 11:30 a.m.

The Chaplain, Rev. James David Ford, D.D., offered the following prayer:

We confess, O God, that we accept so many of the blessings of life and we forget to give thanks; we receive the support of family and friends and we do not always remember to be grateful; we have food and freedom and we can easily forget that many in our land and world have so little. Remind us, O gracious God, of all these gifts that we receive each day, so we may live our lives with awareness, gratitude, and appreciation. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WELDON. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. WELDON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 244, nays 152, not voting 34, as follows:

[Roll No. 63]

YEAS—244

Ackerman	Browder	Danner
Andrews (ME)	Brown (FL)	Darden
Andrews (NJ)	Brown (OH)	de la Garza
Andrews (TX)	Bryant	Deal
Applegate	Byrne	DeFazio
Archer	Cantwell	Dellums
Bacchus (FL)	Carr	Derrick
Baesler	Chapman	Deutsch
Barcia	Clayton	Dicks
Barlow	Clement	Dingell
Barrett (WI)	Clinger	Dixon
Bateman	Clyburn	Dooley
Becerra	Coleman	Durbin
Bellenson	Collins (MI)	Edwards (CA)
Bevill	Combest	Edwards (TX)
Bilbray	Condit	Engel
Bishop	Conyers	English (AZ)
Blackwell	Cooper	English (OK)
Bonior	Coppersmith	Eshoo
Borski	Costello	Evans
Brewster	Coyne	Fazio
Brooks	Cramer	Fields (LA)

Filner	Maloney
Fingerhut	Mann
Fish	Manton
Flake	Margolies-
Ford (MI)	Mezvinsky
Frank (MA)	Markey
Furse	Martinez
Gejdenson	Matsui
Gephardt	Mazzoli
Geren	McCloskey
Gibbons	McCollum
Gillmor	McCurdy
Gilman	McDermott
Glickman	McHale
Gonzalez	McInnis
Green	McKinney
Gunderson	McNulty
Hall (TX)	Meehan
Hamburg	Meek
Hamilton	Menendez
Hayes	Mfume
Hefner	Miller (CA)
Hilliard	Mineta
Hinche	Minge
Hoagland	Mink
Hochbrueckner	Moakley
Hoke	Mollohan
Holden	Montgomery
Houghton	Moran
Hoyer	Murtha
Hughes	Myers
Hutto	Nadler
Hyde	Natcher
Inglis	Neal (MA)
Jefferson	Neal (NC)
Johnson (GA)	Oberstar
Johnson, E.B.	Obey
Johnston	Oliver
Kanjorski	Ortiz
Kaptur	Orton
Kasich	Owens
Kennedy	Pallone
Kennelly	Pastor
Kildee	Payne (NJ)
Klecza	Payne (VA)
Klein	Pelosi
Klink	Penny
Kreidler	Peterson (FL)
Lambert	Peterson (MN)
Lancaster	Pickett
Lantos	Pickle
LaRocco	Pombo
Laughlin	Pomeroy
Lehman	Poshard
Levin	Price (NC)
Lewis (GA)	Rahall
Lipinski	Rangel
Lloyd	Ravenel
Long	Reed
Lowey	Reynolds

NAYS—152

Canady	Galleghy
Castle	Gallo
Clay	Gekas
Coble	Gilchrest
Collins (GA)	Gingrich
Crane	Goodlatte
Crapo	Goodling
Cunningham	Goss
DeLay	Grams
Diaz-Balart	Grandy
Dickey	Greenwood
Doolittle	Hancock
Dorman	Hansen
Dreier	Hastert
Duncan	Hefley
Dunn	Herger
Everett	Hobson
Ewing	Hoekstra
Fawell	Horn
Fowler	Huffington
Franks (CT)	Hunter
Franks (NJ)	Hutchinson

Richardson	Inhofe
Roemer	Istook
Rose	Jacobs
Rostenkowski	Johnson (CT)
Rowland	Johnson, Sam
Roybal-Allard	Kim
Rush	King
Sabo	Kingston
Sanders	Klug
Sangmeister	Knollenberg
Sarpallus	Kolbe
Sawyer	Kyl
Schenk	Lazio
Schumer	Leach
Scott	Levy
Serrano	Lewis (CA)
Sharp	Lewis (FL)
Shepherd	Lightfoot
Sisisky	Linder
Skaggs	Machtley
Skellton	Manzullo
Slaterry	McCandless
Smith (IA)	McCrery
Smith (NJ)	McHugh
Spence	McKeon
Spratt	McMillan
Stark	Meyers
Stenholm	Mica
Stokes	Michel
Strickland	
Studds	
Stupak	
Swift	
Swift	
Synar	
Tanner	
Tauzin	
Tejeda	
Thurman	
Torres	
Torricelli	
Towns	
Traficant	
Tucker	
Unsoeld	
Valentine	
Velazquez	
Vento	
Vislosky	
Volkmer	
Waters	
Watt	
Waxman	
Wheat	
Whitten	
Wilson	
Woolsey	
Wyden	
Yates	

Miller (FL)	Shaw
Molinari	Shays
Moorhead	Shuster
Morella	Skeen
Murphy	Smith (MI)
Nussle	Smith (OR)
Oxley	Smith (TX)
Packard	Snowe
Paxon	Solomon
Petri	Stearns
Porter	Stump
Pryce (OH)	Sundquist
Quillen	Talent
Quinn	Taylor (MS)
Ramstad	Taylor (NC)
Regula	Thomas (CA)
Ridge	Thomas (WY)
Roberts	Torkildsen
Rohrabacher	Upton
Ros-Lehtinen	Vucanovich
Roth	Walker
Roukema	Walsh
Royce	Weldon
Santorum	Wolf
Saxton	Young (AK)
Schaefer	Young (FL)
Schiff	Zeliff
Schroeder	Zimmer
Sensenbrenner	

NOT VOTING—34

Abercrombie	Ford (TN)	Livingston
Barton	Frost	McDade
Berman	Gordon	Parker
Boucher	Gutierrez	Rogers
Brown (CA)	Hall (OH)	Slaughter
Cardin	Harman	Thornton
Collins (IL)	Hastings	Washington
Cox	Henry	Williams
DeLauro	Inslee	Wise
Emerson	Johnson (SD)	Wynn
Fields (TX)	Kopetski	
Foglietta	LaFalce	

□ 1152

Mr. KLEIN changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

□ 1210

PERSONAL EXPLANATION

Mr. WYNN. Mr. Speaker, during roll-call vote No. 63 on the Journal, I was unavoidably detained. Had I been present I would have voted "yes."

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore (Mr. MURTHA). Will the gentleman from California [Mr. BAKER] please come forward and lead the House in the Pledge of Allegiance?

Mr. BAKER of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

COMMUNICATION FROM WALTER P. KENNEDY, MINORITY SERGEANT AT ARMS

The SPEAKER pro tempore laid before the House the following communication from Walter P. Kennedy, Minority Sergeant at Arms:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 1, 1993.

Hon. THOMAS S. FOLEY,
Speaker, House of Representatives,
The Capitol.

DEAR MR. SPEAKER: I have had a great privilege that very few in America have experienced and that is serving as a member of the Staff of the House of Representatives for some 44 years. It has been an experience that I shall remember to the end of my time. The friendships I have developed with you, with my own Leader, Bob Michel, and so many others over these years has been a very rare privilege.

But now with the years passing by more rapidly I have determined that I should spend more of my remaining time with my long suffering and devoted wife, my seven children and nine grandchildren. I shall continue to remain active participating in my son's law firm but at a pace one can have the opportunity to stop and smell the roses.

I, therefore, submit my resignation effective the end of business on March 15, 1993. I thank you, my Leader and all the Members for making my life a Camelot come true.

Respectfully,

WALTER P. KENNEDY.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair announces that after the gentleman from Illinois [Mr. MICHEL] is recognized for an extended 1-minute, the Chair will then recognize 17 Members for 1-minute speeches on each side.

The Chair recognizes the gentleman from Illinois [Mr. MICHEL].

TRIBUTE TO WALTER P. KENNEDY, MINORITY SERGEANT AT ARMS

(Mr. MICHEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MICHEL. Mr. Speaker and Members of the House, I have asked for this extended 1 minute from the Speaker to take special note of the letter of resignation which was just read from our long-time friend and devoted House employee, Walter P. Kennedy. There is a special significance to my taking this time because Walt and I served together as administrative assistants in our earlier years on Capitol Hill. He began his career as an AA to former Congressman Gordon Canfield from New Jersey in 1949, and that is the year I began my tour on Capitol Hill. He subsequently was appointed minority pair clerk by the late Speaker Joseph W. Martin of Massachusetts, and then appointed to fill the minority Sergeant at Arms post by our former minority leader, John Rhodes, and has continued

in that position under my tenure as Republican leader.

Mr. Speaker, it should be noted that during Walt's 44 years of service on Capitol Hill he served as president of the Congressional Secretaries Club, founder of the Capitol Hill First Friday Club, and during World War II he served in the European theater of operations with the 44th Infantry Division in southern France and Germany, ending up at the Brenner Pass.

Walt has decided, as we heard in his letter of resignation, to spend more time with his seven children and nine grandchildren, and I just wanted to take this opportunity to express my own personal love and affection for him as a friend, express our profound appreciation for Walt's long and devoted service to the House of Representatives.

I guess Wally serves officially as a representative of our party. I know that he has acquired many, many friends on the Democrat side of the aisle of this House. There was no center line of division for him. He always wanted to be helpful to Members of both sides, particularly younger Members, getting them acclimated to this institution.

Walter P. Kennedy has set a high standard of performance for all of our employees, Mr. Speaker, and I think we, as House Members, do ourselves proud to appropriately recognize that kind of service. This place will not be quite the same without him, wherever he is, but I am sure I speak for the entire House when I say, "Thank you from all of us for your long, distinguished and loyal service to this institution. We wish you all the best in your retirement."

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. Mr. Speaker, I made mention of the other side of the aisle, and I am most happy to yield to the distinguished gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank my very good and close friend, the distinguished minority leader who I think reflects the same qualities that Walter Kennedy reflects, and I am very pleased, as chairman of the Democratic caucus and on behalf of the Members of this side of the aisle, to rise and to join with the remarks of the distinguished minority leader, the gentleman from Illinois [Mr. MICHEL].

Walter P. Kennedy is a gentleman of great understanding, knowledge, and love of this institution. Any of us who have served here with him know him to be a person who has indeed, as the minority leader said, walked on both sides of these aisles, extended his hand to both sides, given good advice and counsel to both sides. He has been a staunch and strong supporter of the other side's interests and objectives, but that has not obscured his view of

the fact that we are, in this body, all Americans, concerned about the welfare of our country, and no person who has served in this body has reflected that any more than Walter Kennedy.

Mr. Speaker, those of us on this side of the aisle regret Walter's retirement. We lament the fact that he is leaving our body. Our body will be a lesser body for his absence. But we say to him, we join with your distinguished friend, the minority leader, and all of your friends on that side of the aisle, and all of your friends on this side of the aisle, in wishing you a long life, enjoyment of those seven children and your grandchildren, and we know that you will continue to play, as you have, not just for the 44 years, but for your entire life, a positive role in making this country a better place for all.

Mr. Speaker, let me say this in conclusion: Congratulations to you, Walter Kennedy, and Godspeed.

Mr. Speaker, I thank the minority leader for yielding.

Mr. MICHEL. Mr. Speaker, I thank the distinguished gentleman from Maryland [Mr. HOYER] for his very valuable contribution.

Mr. HYDE. Mr. Speaker, will the Republican leader yield?

Mr. MICHEL. I am happy to yield to my friend, the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I thank the leader for yielding.

We are celebrating today the 44 years of Walter Kennedy's service on the Hill. What I have to say celebrates his seven children, his lovely and long-suffering wife, Ana, and his founding of the First Friday Club many years ago.

Mr. Speaker, I just want to say this to Walt: In America we do not have any hereditary aristocracy, but there is an aristocracy of the heart and of the soul and of the spirit, and in that very special limited aristocracy Walt Kennedy is at least a prince.

Mr. Speaker, this is a bittersweet occasion. I want to join our distinguished minority leader in congratulating Walt Kennedy on his imminent retirement, and at the same time, like so many other Members, I am sorry to see him go.

The title of Sergeant at Arms for the minority hardly begins to describe what Walt has been to this body. He has served as friend, advisor, institutional memory, and gadfly. He has been both conscience and counselor.

His career on the Hill spans 44 years, through the terms of 11 Presidents and 9 Speakers of the House. Somehow, through it all, he has retained—indeed, perfected—both a sense of humor and a sense of humility. He has taught by example that you can be tough and genial at the same time.

Perhaps that's because he never lost sight of the truly important things in life, and never let his priorities get mixed up. Let others point to this or that piece of legislation as their monuments. I think Walt would be far prouder of his seven kids, nine grandchildren—so far—and the Capitol Hill First Friday Club, which he founded and which remains one of the

wellsprings of spiritual strength for many in the House.

While we salute Walt for more than 4 decades of service to the Congress and the Nation, we also pay tribute to the person who made all that possible, his wife Ana. We thank her for sharing him with us all these years, for sustaining his dedication, and for putting up with the demands the House makes of its most valuable officers.

To both Ana and Walt, we offer our appreciation and congratulations, with the specific understanding, however, that they are to remain part of our congressional family with a place ever close to our hearts.

Mr. SOLOMON. Mr. Speaker, will the Republican leader yield?

Mr. MICHEL. I am happy to yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, let me just say to my leader that I just want to call this to the attention of some of the new Members who are here: I can recall—not having been here as long as you and Walter, but having been here only about 15 years—I can remember coming here 15 years ago, not knowing anything; I guess I was about the most naive kid on the block. And the one man who came over to me that day 15 years ago was Walter Kennedy. I did not even know who he was. He sat me down and we talked about this body and about the historical institution, and I think I learned more from him than I have learned from all the other people we have been associated with all these years. He has such great infinite wisdom that he can bestow on all of us. We are going to miss that dearly.

But there is one thing about this that I might warn the other side, and that is that everybody knows I have a tendency sometimes to become frustrated and exercised and excited, and when that used to happen, there was one man in this body who would come over to me and say, "Gerry, sit down for a minute. I want to talk to you." And he would settle me down, and things then would be much, much better.

I do not know who is going to take Walter's place. So look out, Democrats. Look out.

Walter, we love you. We are going to miss you dearly. But just come back and say hello to us from time to time.

Mr. GILMAN. Mr. Speaker, will the leader yield?

Mr. MICHEL. I am glad to yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, I thank the leader for yielding.

I, too, want to add my congratulations and express my sorrow upon learning that Walter will no longer be part of the great tradition of this wonderful body.

Walter has not only been a minority Sergeant at Arms but he has been an adviser to all of us on both sides of the aisle.

Walter, we will surely miss you. God bless you, and may you enjoy many years of good health ahead.

Mr. GINGRICH. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I am happy to yield to the distinguished Republican whip.

Mr. GINGRICH. Mr. Speaker, I just want to say this: After hearing HENRY HYDE's words on Sir Walter Kennedy, he is surely a prince of a man. That when people watch and try to understand the House, I would make two points that Walter Kennedy personifies.

First, is that this House is not just the Members, but that there are staff who work endless hours and who bring to us a sense of decency and a sense of love for their country. Those staff members, of whom Walter is just one of the most notable examples, are absolutely vital to bring about the kind of representative body that we are.

Second, despite all these scandals, despite all the problems, this is a process of representation which for over 200 years has served the American people very well.

Walter Kennedy is one of the longest serving institutional memories of the great moments and the bad moments, of the wonderful things and the endless things that come together in the human drama. We will all miss him. I hope he will assume that he is never fully retired but is permanently available to this House and to the younger staff and the younger Members to help continue the long tradition of freedom in America.

We are going to miss Walter. He and his family have certainly deserved this day, and I thank the leader for taking the time to bring this to our attention.

Mr. MICHEL. Mr. Speaker, the gentleman has just buttressed the point that I wanted to make with respect to taking the time today, that all of us rely on our individual staffs and those in our offices. The institution could not run without devoted people like Walt, and from time to time I think it serves us well if we honor that service.

Mr. WALKER. Mr. Speaker, will the leader yield?

Mr. MICHEL. I am glad to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Speaker, I thank the gentleman for yielding.

I, too, want to praise Walter Kennedy for his service in the House. I, like some others, have known Walter for a long, long time, and what has been said about him here thus far is absolutely correct.

There is one other point I want to make: I came here as an inexperienced staffer in the 1960's, and the one thing I have always found about Walter Kennedy is that it did not matter whether you were the young, inexperienced staffer or whether you were one of the leadership people on either side of the Hill, he treated everybody the same. Everybody had access to Walter, and he worked with us and tried to help us. That, I think, is one of the things that

distinguishes staff members the most, that they are capable of that kind of decency.

Mr. Speaker, we are going to miss Walter Kennedy very much on the Hill.

Mr. KLEIN. Mr. Speaker, will the distinguished minority leader yield?

Mr. MICHEL. I am happy to yield to the gentleman from New Jersey.

Mr. KLEIN. Mr. Speaker, I find that Walter Kennedy is not only a great servant of this House, but also a resident of the city of Patterson, NJ, and a constituent of mine in the Eighth Congressional District of New Jersey. Of course, Walter's career in the House began by serving Gordon Canfield, who was one of my distinguished predecessors.

Walter has had an illustrious career in the House, and my largest and biggest regret is that he leaves at a time when I did not get to know him as well as I would have wished to have done. I wish him Godspeed and success in all of his future endeavors.

Mr. MICHEL. Mr. Speaker, I appreciate so much the gentleman from New Jersey serving to wrap up this little exchange, coming from Walter's home district.

Mr. Speaker, in conclusion, I include two letters, as follows:

U.S. SENATE.
OFFICE OF THE REPUBLICAN LEADER,
Washington, DC, March 10, 1993.

Mr. WALTER P. KENNEDY,
c/o Congressman BOB MICHEL,
The Capitol, Washington, DC.

DEAR WALTER: I just wanted to wish you the best of luck as you seek to prove that there is life after Capitol Hill.

Washington has turned over many times the past 44 years—but one thing that has not changed is that Republican House members could always count on Walter Kennedy to get the job done.

I am just one of many who is proud to salute you for your service to the Republican Party, to the House of Representatives, and to America.

Elizabeth joins with me in sending our very best to you and your family. May you have many happy years ahead.

Best regards,

BOB DOLE.

House of Representatives,
Washington, DC, March 10, 1993.

Hon. ROBERT H. MICHEL,
Republican Leader, U.S. House of Representatives,
The Capitol, Washington, DC.

DEAR BOB: It is with mixed emotions that I learned of Walter Kennedy's retirement as our Minority Sergeant at Arms.

After 44 years of service to the Congress and the hundreds of Republican members who have served here during that time, I am pleased that Walter will now be able to relax and give his undivided attention to his wife Ana, their seven children, and their nine grandchildren who have been such a great source of pride.

The sadness comes in knowing that when the House convenes next Tuesday, things will not be quite the same without Walter in the House chamber. He has always been there for our members and he always knew what was happening—at least as well as anyone around here could.

It is ironic in a way that Walter is retiring in a year in which we have so many freshmen members. When I came to Congress in 1970, we had no formal orientation sessions or big brother programs, in which freshmen were paired with sitting members. It was every member for himself and I found that Walter Kennedy became the best source of information for me and for so many of my colleagues. He told us where things were and how to get things done. Twenty-three years later, I still seek out Walter's advice and will greatly miss having the benefit of his counsel.

This is the 23rd Congress in which Walter has served the members of the House. He has been here during the tenure of 11 Presidents and nine Speakers. In an institution full of history and legends, Walter Kennedy has become an institution and legend himself. This will be the living tribute to his service to this great House which he leaves behind.

My best wishes go out to Walter, Ana and their children and grandchildren for many happy and healthy years together. With warmest personal regards, I am

Very truly yours,

C.W. BILL YOUNG,
Member of Congress.

Mr. LEWIS of California. Mr. Speaker, I have known Walter Kennedy since the first day I arrived in Congress. He is a friend of mine and has served as my counselor many a time. Walt has always looked out for me, and every Republican, on the difficult issues and those tough political votes.

In public affairs and politics, loyalty is everything. Understanding the importance of this principle has been at the heart of Walter Kennedy's success. Contributions he has made to Members of this House, especially to his mentor BOB MICHEL, are a part of the legend that makes this Congress the world's most important legislative body.

Walter has always been available, day or night, to help with whatever project I am working on. He has extensive institutional memory, the type of historic knowledge that we will never be able to replace. Nevertheless, I want to join our leader in wishing him all the best in a well deserved retirement.

Mr. GALLO. Mr. Speaker, I would like to take this opportunity to recognize Walter P. Kennedy for his accomplished and dedicated career. He has announced that he will retire after 44 years of service on Capitol Hill.

In 1985, when I was new in Congress, Walter was very helpful to me during that adjustment period. He has been willing to discuss issues with me and he has offered exceptional advice on various topics. I would like to thank him for all of that advice and express my deepest gratitude.

Walter Kennedy's career on Capitol Hill began in 1949, in the 81st Congress when he worked as an administrative assistant for the late Congressman Gordon Canfield of New Jersey. He remained there until 1960, and then began working for Congressman Bradford Morse.

He was appointed by the late Speaker Joseph W. Martin Jr. to be the minority pair clerk. Later he was appointed by former Minority Leader John Rhodes and current Republican leader BOB MICHEL to fill the minority Sergeant at Arms post.

A native of Paterson, Walter P. Kennedy was educated in the local schools of New Jer-

sey and is also a graduate of Seton Hall University and John Marshall School of Law, now called Seton Hall University School of Law.

He also attended Columbia University School of Business and Georgetown University School of Foreign Service.

He has numerous achievements on Capitol Hill, including being the president of the Congressional Secretaries Club. He was also the founder and first president of the Capitol Hill First Friday Club. He served in World War II with the 44th infantry Division in the European Theater of Operation.

Mr. Speaker, I would like to wish Walter P. Kennedy and his wife Ana Luisa a very happy and healthy future.

Mr. EMERSON. Mr. Speaker, my first exposure to Capitol Hill was 40 years ago, when at age 15, I had the wonderful privilege of being a page in the House of Representatives. At that time Walter Kennedy was well into service here, and beyond that point in time he served for four full decades. I've had the privilege of knowing Walter throughout that time and know of his commitment and dedication to this institution and all of the people who serve here.

Walter has had the great opportunity to see an awful lot of water pass over the dam. He has been a witness to the mundane and the monumental of what happens here, from inaugurations to State funerals, uplifting debates to petty squabbles, he has known the great people and, I'm sure, some rascals also.

Walter, Godspeed as you move to your next career and God bless you for the service you have rendered. I hope your enjoyment of the future is as rewarding to you, and is as fulsome, as the job you've done as a part of this institution.

Mrs. MORELLA. Mr. Speaker. I rise to pay tribute to an almost legendary Hill staffer, Walter P. Kennedy, a constituent of mine who is retiring after 44 years of service.

Walt, who lives in Bethesda, MD, in my Eighth Congressional District, has served as minority Sergeant at Arms for the current Republican leader, BOB MICHEL, as well as for his predecessor, John Rhodes. Prior to that, he had been minority pair clerk after serving for more than a decade as administrative assistant to the late Congressman Gordon Canfield and Congressman Bradford Morse.

During that long period, Walt was a hard-working assistant known for his creativity and loyalty. But he was much more: With his vast experience and institutional memory, he was a wonderful adviser to scores of freshmen Members of Congress when they came to the Hill. And while he is a good Republican, he was never too busy to provide assistance to those on the other side of the aisle as well.

During his time on the Hill, which spanned 11 Presidents and 9 Speakers of the House, Walt involved himself in a variety of Hill-related organizations. He has been president of the Congressional Secretaries Club and was founder and first president of the Capitol Hill First Friday Club.

During World War II, he served in the European Theatre, with the 44th Infantry.

Walt has left a mark on this body over the past half-century, and I wish him continued success in his retirement.

GENERAL LEAVE

Mr. MICHEL. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks, and include extraneous matter, on the subject of my 1-minute, out of respect to Walter Kennedy and his retirement from this distinguished body.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from Illinois?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will announce once again that there will be 17 1-minute speeches allowed on each side.

The Chair will first recognize the gentleman from New York [Mr. SCHUMER].

A TERRORIST STRIKES AT A FLORIDA ANTIABORTION DEMONSTRATION

(Mr. SCHUMER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, yesterday, in Pensacola, FL, another tragic shot was fired by an antichoice terrorist in what has become an all-out guerrilla war on the women who seek abortions and the doctors who care for them. Unfortunately, I am not speaking figuratively. An ideological extremist participating in an antichoice demonstration shot Dr. David Gunn in cold blood as the doctor got out of his car in front of the clinic he had opened only a month ago.

They cannot persuade people by words, so they resort to bullets. They can no longer rely on the Congress and the courts, so they rely on coercion and violence.

Clearly, the threat to a woman's right to choose is no longer in the courts or in the Oval Office. It is in the streets in front of abortion clinics. It has become a deadly serious business for a woman to go to a clinic where she is almost certain to face harassment and even physical attack.

Mr. Speaker, in conclusion, let me say that we cannot bring Dr. Gunn back, but we can pass the Freedom of Access to Clinic Entrances Act, which I have introduced, along with the gentlewoman from Maryland [Mrs. MORELLA]. I will be holding a markup on this legislation shortly.

Mr. Speaker, in light of this most recent act of terror, we cannot pass this bill soon enough.

WORRY ABOUT TAXES, NOT CUTS

(Mr. BUNNING asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BUNNING. Mr. Speaker, according to the Washington Post, President Clinton is wary of more spending cuts because he is afraid they will stall the recovery.

I understand why the President is wary of stalling the recovery, but spending cuts are not the problem.

The problem is the President's tax increases on the middle-class taxpayer.

We all know the history. Every time we have raised tax rates over the last 30 years, we have stalled our economy.

And now President Clinton wants to raise even more taxes to help make life more fair.

Mr. Speaker, the President should not be afraid to cut more Federal spending. That will only help the economy.

His worries should be with his plans to tax the middle class more. That is the part of the plan that worries me the most.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF HOUSE JOINT RESOLUTION 103

Mr. HOLDEN. Mr. Speaker, due to an administrative error, my name was incorrectly listed as a cosponsor of House Joint Resolution 103. I ask unanimous consent that my name be withdrawn as a cosponsor of House Joint Resolution 103.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

MOVING IN THE RIGHT DIRECTION

(Mr. MCHALE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCHALE. Mr. Speaker, Justice Oliver Wendell Holmes once said:

I find the great thing in this world is not so much where we stand, but in what direction we are moving. * * * we must sail sometimes with the wind and sometimes against it—but we must sail, and not drift, nor lie at anchor.

Regrettably, for the past 12 years our social conscience has been adrift and our once great economy has remained at anchor. We now confront a \$4 trillion debt and the harsh reality that 36 million of our fellow citizens are without health insurance.

Fortunately, last November, the American people elected a President with the courage to move our country in a bold new direction—a President who believes, as I do, that we must enact a targeted capital gains tax cut to vigorously promote investment in new businesses; we must pass a permanent tax credit spurring research and development; we must rebuild our cities and dramatically strengthen our

Nation's infrastructure; and along the way we dare not forget our children; we must fully fund Head Start.

After 12 years of economic drift, we are finally moving in the right direction.

WHERE'S THE BEEF?

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, Walter Mondale, the intellectual guru of the Clinton administration, asked a question during the 1984 election that is especially relevant today.

He asked: Where's the beef?

As I look at the Clinton budget, I am forced to ask the same question.

I see function totals. I see general principles. I see lots of promises. But I do not see any of the details.

Where's the beef? The Budget Committee Republicans came up with a specific package of real cuts.

Where are the President's spending cuts? We have heard him speak magnificently about the need for Government to cut spending. But as the Washington Post pointed out yesterday, the spending cuts remain "vague or loosely defined."

Mr. Speaker, we need a budget with some beef. We need details so we can be assured that we are not just voting on more Clinton promises.

The middle class knows how relevant Clinton promises can really be.

KEEP PRESIDENT'S INVESTMENT PACKAGE INTACT

(Mr. CLYBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYBURN. Mr. Speaker, I rise to once again applaud the President for his temerity and tenacity in setting the Nation upon a measured and responsible course toward economic security and stability. His leadership and the Budget Committee's actions last night have produced a very good framework for debate by this august body.

While the Budget Committee's intentions may be honorable, it is my personal belief, however, that its decision to cut \$8 billion more than the CBO determined is necessary to meet the President's stated goals could very well be the first step on a paved road to hell. I am hopeful that this body will take a hard look at our social infrastructure as we begin to put flesh on this frame.

Now let me sound a warning as we begin to consider the President's investment package. Our physical infrastructure is in bad need of attention. Our water is not safe. Our roads and

bridges are in need of repair. Our rural communities are crying out for long overdue assistance. In short, Mr. Speaker, we must keep the President's investment package intact. Our Nation needs it and our people are deserving of it.

CLINTONOMICS, ELVIS PRESLEY, AND HEARTBREAK HOTEL

(Mr. SAM JOHNSON of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAM JOHNSON of Texas. Mr. Speaker, it was reported during the Presidential campaign that President Clinton is an admirer of Elvis Presley. Let us talk about Clintonomics in terms Elvis would understand:

Don't be cruel to the middle class. They can't pay more taxes.

Increased taxes will check small businesses right into Heartbreak Hotel. And now the President is asking for military cuts of \$127 billion. What's next, Mr. President? Why do you want to weaken U.S. military strength and kill small business with more taxes?

The President's unfolding tax increase plan is economically destructive. The President must come clean with the American people. We need all the details.

And, finally, if Mr. Clinton sends us a budget without specifics, as Elvis would say, return to sender.

MEMBERS URGED TO APPROVE PRESIDENT'S ECONOMIC STIMULUS PACKAGE

(Mr. KLEIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLEIN. Mr. Speaker, all week I have been receiving phone calls from the people of northern New Jersey demanding two things from their Representative in Congress—put people back to work and get our fiscal house in order. I think we can and will deliver both.

Highway construction, summer jobs for students, and other job-creation programs could begin immediately if we pass President Clinton's stimulus package next week. This is our opportunity to help our neighbors back home recover the jobs they have lost and to get this Nation back on a prosperous track.

However, our \$4 trillion debt continues to suffocate our economy. Balancing our investments with spending cuts is crucial to our deficit reduction goal. The President has demonstrated his aptitude at doing this and the Democrats on the House Budget Committee commendably have gone even farther when they added \$63 billion more in cuts to the President's total economic package.

I hope we continue to prove to the American public that we are serious about fiscal responsibility and job creation with a ye a vote on the President's economic stimulus package.

WHAT IS AN "EMERGENCY"?

(Mr. ZIMMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ZIMMER. Mr. Speaker, how does Clintonomics define "emergency"?

Well, according to President Clinton's emergency supplemental appropriations bill, here are some ways to define an emergency.

It's an emergency to begin preparing for whitewater canoeing for the 1996 Olympics.

It's an emergency to expand arts education.

It's an emergency to expand overseas vaccinations.

It's an emergency to give money to the District of Columbia to reduce its debt.

Mr. Speaker, the only emergency I can think of that warrants this kind of attention is the size of our national debt. I urge the President to think first about this emergency before he signs the emergency supplemental.

BUDGET COMMITTEE CUTS THREATEN TO UNRAVEL PRESIDENT'S ECONOMIC PLAN

(Mr. HAMBURG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAMBURG. Mr. Speaker, my constituents and I are encouraged by President Clinton's economic proposals.

After 12 years, we have a President who understands the need to invest in our communities, in our families, and in our future. It is a much needed step in the right direction.

That is why I am frustrated by the additional cuts the Budget Committee voted on last night. What programs will be cut? I fear that the committee has pulled the first threat in the unraveling of the President's economic plan.

Now there is talk about scaling back the stimulus package that will provide immediate relief to districts like mine, where unemployment is nearly double the national average and more and more families are struggling to make ends meet.

The people of my district need solutions to our economic problems. It is important to address the deficit, but we must not deny the harsh realities of today.

I urge my colleagues to focus more on individuals and families and less on abstract numbers.

□ 1220

REPUBLICANS CALL THE PRESIDENT'S BLUFF

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, this morning's New York Times lauds our Republican members of the Committee on the Budget for calling President Clinton's bluff.

We all recall that he stood here in his address to the joint session of Congress and said to us that if we were not going to support his plan, he wanted us to be specific. Then he went on the next several days and said, "No more hot air. Show me where."

Well, Mr. Speaker, our Republican members of the Committee on the Budget have called the President's bluff. What have they provided? Eighty pages of specific cuts.

Now we have to say, where is the President's proposal? We have called his bluff, but he has no cards.

Mr. Speaker, I hope very much that he will provide us no more hot air and show us where.

A CALL FOR AN END TO GRIDLOCK

(Mr. MINGE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MINGE. Mr. Speaker, our Nation demands that the Federal Government move ahead. Gridlock must end.

I am proud that we have an administration and a Congress determined to work together. It is going to call for sacrifice from many quarters, from those who are already in economic distress.

As a society, unfortunately, we cannot afford to do all that we want or should for the poor, the elderly, and children. But we must do what we can.

From those who have had the benefit of Government programs, they also must sacrifice. Hundreds of these programs are being reduced or phased out. The entitlements are being scaled back. Our defense effort must be downsized.

Third, from taxpayers, those who benefited from the fast times and the high income of the 1980's have a responsibility to join in the sacrifice and pay toward balancing the budget today. We want the economy to move ahead. We want to be a part of that movement. Our Nation demands no less.

DAVID AND BEA BRODY'S 50TH WEDDING ANNIVERSARY

(Mr. FISH asked and was given permission to address the House for 1 minute and to revise and extend his remarks and to include extraneous material.)

Mr. FISH. Mr. Speaker, I rise today to honor two dear friends, David and Bea Brody, on their 50th wedding anniversary.

David Brody first came to Washington in 1940 to work for the Department of Agriculture and in 1949 joined the B'nai B'rith Anti-Defamation League. As director of the league's Washington office for 24 years and now as special counsel, he has continued to perform his functions with forthrightness and vigilance. He has dedicated more than 40 years of his life to the promotion of the security and prosperity of Israel, Soviet Jewry, civil rights, civil liberties, and the social welfare of all Americans.

Many past and present members of Congress consider David Brody to be not only a wise counsel but a dear and trusted friend who often has been described as the "101st Senator."

As someone who has known Bea almost as long as he has David, it's hard to believe she has been married 50 years. Bea is charming, entertaining, and lovely, and always by David's side. She is the model of a loving helpmate.

Mr. Speaker, on this very special day I salute this couple who have together contributed so much to American values and the quality of our government.

Mr. EDWARDS of California. Mr. Speaker, it is a delight to join my friend and colleague, Mr. FISH, in offering congratulations and best wishes to David and Bea Brody on the occasion of their 50th wedding anniversary.

One of the pleasures of my 30 years here in the House of Representatives has been my friendship with David and Bea. As my colleagues know, David was for many years the Washington representative of the Anti-Defamation League of B'nai B'rith and, along with Clarence Mitchell, Joseph Rauh, Jr., Arnold Aronson, and others, played a huge role in the early years of the leadership conference on civil rights and long served on the executive committee of that organization.

As chairman of the Committee on Civil and Constitutional Rights, I have always been able to look to David for his advice and insight and his abundant energy in advancing the civil rights agenda for our country. But more than an ally in the ongoing effort for a just society, David has also been a dear friend.

So it is a special pleasure to commemorate the 50th anniversary of David and Bea. I know that my colleagues join me in offering them abundant best wishes on this happy occasion.

Mrs. MORELLA. Mr. Speaker, I rise today in recognition of the 50th wedding anniversary of David and Bea Brody. Mr. Brody, commonly known as the 101st Senator during his tenure as the Washington representative of the B'nai B'rith Anti-Defamation League, has long been a dynamic force for the advancement of civil rights and civil liberties in this country.

Mr. Brody's esteemed counsel and unswerving guidance to the Members of Congress have served the people of this country for more than 40 years. He is known to many Members of this House as a tireless advocate of Israeli rights and Soviet Jewry, and he is a trusted friend to many of us.

Mr. Brody's long record of commitment to the advancement of individual freedoms in the United States dates back to his service as an officer in the U.S. Navy during World War II. Mr. Brody, a transplanted New Yorker, moved to Washington, DC in 1940 to take a position as a lawyer for the Department of Agriculture. He joined the Anti-Defamation League in 1949, and by 1965 had become the chief Washington representative of the league. Since that time Mr. Brody has been a force in the sphere of foreign affairs and civil rights policy.

Over the years Bea Brody has served as a source of strength and encouragement in supporting Mr. Brody's endeavors. As the host of countless gatherings of legislators, reporters, lobbyists, and constituents at the Brody home, Mrs. Brody has joined her husband in a concerted effort to facilitate the exchange of ideas and information in the name of individual freedoms.

I extend a warm congratulations to David and Bea Brody on the happy occasion of their 50th wedding anniversary, and I wish them many continued years of happiness.

Mr. GILMAN. Mr. Speaker, today I join my colleagues in calling to the attention of our colleagues a most joyous occasion: The 50th wedding anniversary of David and Bea Brody, who are well known to us all.

David and Bea Brody were married on March 11, 1943. Since that day, there have been many changes in the world. But their love for each other and their commitment to improving this world have been constant, and have served as an inspiration to many.

For more than a generation, David Brody has served as Washington representative of B'nai B'rith's Anti-Defamation League. In this position, he has worked on behalf of the interests of the Jewish-American community, as well as on behalf of all who cherish freedom. His outstanding service to our Nation demonstrates his true dedication to civil rights and personal liberty. I have been privileged to have worked with David on many projects of mutual concern, including the promotion of peace in the Middle East. His knowledge and thorough understanding of the issues have made him a respected advisor to many Members who walk these halls.

Every great person needs a supportive spouse to sustain their works and Dave Brody has had the pleasure and good fortune—for 50 years—to enjoy the wise counsel and loving support of Bea Brody. Anyone who has met Bea is well aware of her staunch determination to make a better world for all of us, and can well appreciate how Dave and her have complimented each other so successfully for so long. Dave and Bea are truly a unique couple who have been an inspiration to us all.

Mr. Speaker, with this in mind, I ask our colleagues to join in congratulating David and Bea on this happy and wonderful occasion. May they have many more years of good fortune and good health in all of their future endeavors.

GENERAL LEAVE

Mr. FISH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to

revise and extend their remarks on the subject of my 1 minute.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from New York?

There was no objection.

A CALL FOR QUICK ENACTMENT OF THE FREEDOM OF CHOICE ACT

(Ms. ESHOO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESHOO. Mr. Speaker, although abortion is an emotional and controversial issue, we are free to express our views on this issue under the protection of the first amendment.

But for several months there has been an increasing level of violence by the anti-choice movement: Emotional and physical harassment of doctors, patients, and health care workers; bombings; chemical sprayings, beatings; and now coldblooded murder.

Unfortunately, many will view this crime as an anomaly—something done by a disturbed individual from a movement with many erratic people.

But listen to the weak disavowals of violence by the anti-choice people. Listen to its leaders establish a defense fund for the killer of this doctor.

Mr. Speaker, they have created this climate of violence. And this violence will continue until we insist that the law stop what their conscience permits.

For the sake of health professionals and women across the country, I urge our Nation's law enforcement authorities to respond appropriately to the anti-abortion movement's increasingly violent tactics. And I urge this Congress to quickly enact the Freedom of Choice Act to guarantee women their legal right to choose.

CONGRATULATIONS TO DAVID AND BEA BRODY

(Mr. HORN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HORN. Mr. Speaker, I join the gentleman from New York [Mr. FISH] in honoring the distinguished career and the 50th wedding anniversary of David Brody, former director, Washington office of the Anti-Defamation League.

For several decades, David has been the friend of Members of this House on both sides of the aisle, friend of Presidents of the United States of both parties, Members of the other body of both parties and a major figure working for worthwhile causes in this city and Nation.

I first met him when I was a 20-year-old legislative assistant to the Republican whip of the other body, Senator Kuchel of California.

My first assignment was to join in a coalition to deal with rule XXII.

David knew everybody, knew everything and was an invaluable adviser to all of us at the staff level over the years. He is a caring person. He is a person of great integrity.

He is one of the few outsiders that was permitted to join the two whips of the other body who were the floor managers for the Civil Rights Act of 1964. He not only was there when history was made, through his energy, his implementation of what was decided, he helped make that history one of the most significant acts in this century, the Civil Rights Act of 1964.

So David and Bea, on your 50th wedding anniversary, we congratulate you and we thank you for all that you have done to help advance the cause of human rights in the country.

Mr. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. HORN. I yield to the gentleman from Missouri.

Mr. EMERSON. Mr. Speaker, I just want to associate myself with the remarks of the gentleman from California [Mr. HORN].

Dave and Bea Brody are great personal friends of mine, and I concur in what the gentleman has just said.

THE RIGHT TO CHOOSE MUST BE UPHELD

(Mrs. LOWEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LOWEY. Mr. Speaker, the violence has gone too far. No matter what one's views on abortion, we cannot tolerate actions like the murder of Dr. David Gunn in Florida yesterday. It is clearly barbaric.

It should not come as a surprise that the warfare against clinics has escalated to murder when anti-choice fanatics will state clearly that they cannot condone or condemn this action. As the political tides shift toward protecting abortion rights, an extremist minority within the anti-abortion movement is turning increasingly to terrorism to achieve their goals.

In recent years, we have witnessed a frightening rise in harassment and violence against clinics. And while the violence has escalated, local law enforcement officials in some communities simply look the other way. The unwillingness of some authorities to clamp down on harassment has served to encourage new and more brazen actions by some in the anti-choice movement.

I have introduced legislation, H.R. 519, that puts extremist forces and local authorities on notice that the right to choose must be protected. We must change the climate in this country by standing up for law and order. Dr. David Gunn's death should not be in vain.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will announce that we have more than 17 members lined up on both sides. We are only going to take 17 today prior to business. Of course, there will be 1 minutes afterward.

MILITARY BASE CLOSINGS

(Mr. WELDON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON. Mr. Speaker, our friends on the other side of the aisle have been squealing like stuck donkeys all week, after getting a look at potential military base closings. Senators from the other body and Members here have been whining about the economic impact of base closings in their area.

Are these the same Members who have been so effusive in their praise of the Clinton budget, which includes \$127 billion in unspecified defense cuts?

□ 1230

Are these the same Members who have cast vote after vote in favor of cutting defense by 50 percent during annual budget deliberations?

For all of those defense-cutting Clinton cheerleaders, remember that this is only the beginning. As Ross Perot has said, the devil is in the details. How many more bases will be closed and how many more jobs will be lost? How many defense systems will be canceled and how many jobs will be lost? How many more active duty personnel will receive pink slips from the job-producing President?

INTRODUCING LEGISLATION TO PROVIDE EDUCATION, JOB TRAINING, AND JOB PLACEMENT

(Ms. PELOSI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PELOSI. Mr. Speaker, this morning there was bad news in terms of unemployment. Those filing for unemployment benefits jumped by 25,000. This is bad news in many ways, especially since the experts and analysts had predicted that the number would go down. Instead, we are at the highest number in the last 4 months.

Tomorrow, the third round of base closures will be announced. Many communities across the country have already suffered severe job loss, as the filings for unemployment compensation indicate, this resulting in economic decline because of military downsizing.

Mr. Speaker, while we must be prudent and fair in our decision to close military bases, we must also combine our energies to realize the potential that remains for local communities.

Today, I am introducing legislation to provide education, job training and placement in the field of environmental cleanup at closed bases. The purpose of this program is twofold—to benefit both displaced defense workers and disadvantaged youth and to clean up the bases.

Too often, the only thing left when a base closes is a hazardous material site. We must emphasize rapid restoration of these bases so our communities can be revitalized.

Successful economic conversion also depends on the investment we make in our human capital. By forming new community partnerships with labor and business, defense workers can gain the specialized training needed to clean up Federal facilities, and to secure alternative employment.

Much of America's new generation of workers, without further education or training, will be destined to serve in low-skill, low-wage jobs, or become unemployed. By providing disadvantaged youth with training in a growing industry, this program could offer new opportunities for young adults who might otherwise join the forgotten half of at-risk youth in our society. I think this legislation will provide new education and job opportunities for America's displaced defense workers and disadvantaged youth.

It will also bring us a step closer to cleaning up contaminated Federal sites so that local communities can enhance their workforce and improve their economy. I hope my colleagues will support this important endeavor.

NO ROOM FOR VIOLENCE IN ABORTION DEBATE

(Mr. CANADY asked and was given permission to address the House for 1 minute.)

Mr. CANADY. Mr. Speaker, yesterday's act of mindless violence in my home State of Florida leaves me appalled.

The Pensacola murder should outrage every person who respects human life.

Making this act even more irrational was the murderer's claim that he wanted to save lives.

This deranged act strikes at the heart of two principles we as Americans revere:

Our respect for the life of each individual.

And our belief in the rule of law and not violence.

Mr. Speaker, there is a great debate in America over the practice of abortion.

Americans passionately disagree about the justice and morality of our laws permitting virtually unrestricted abortion.

However, one of the glories of America is this:

We settle our political differences through reasoned discourse and elections.

We do not resolve political conflicts by assassination.

The principle of respect for human life will only be undermined by lawless acts of violence such as the murder in Pensacola.

Violence only breeds more violence.

Mr. Speaker, the only appropriate response to this crime is unequivocal condemnation.

URGING PASSAGE OF THE FREE- DOM OF CHOICE ACT AND THE CLINIC ACCESS BILL

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, yesterday's murder of Dr. David Gunn outside a Florida clinic by an antiabortion activist is an outrageous and shocking act.

I am deeply saddened by this ugly crime, and my heart goes out to the family and friends of Dr. Gunn.

Perhaps the only thing that eclipses the horror of this tragedy is the callousness with which the leaders of the so-called pro-life movement have responded to the actions of one of their own.

For several years now, these zealots have sought to deny women their legal rights to a safe abortion by blocking access to abortion clinics.

Yesterday's crime represents a sick and dangerous escalation of those activities and it must be condemned.

Today, the Congress must redouble its efforts to guarantee women the legal right to safe abortions and to ensure their safety as they seek this right.

A swift and strong message must be sent to the radical antiabortion activists: Women have a right to legal abortion, and the Federal Government intends to fully guarantee it.

Let us pass the Freedom of Choice Act and the clinic access bill and end this madness.

IN SUPPORT OF THE LINE-ITEM VETO AND BREAKING THE BUDGET GRIDLOCK

(Mr. QUINN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. QUINN. Mr. Speaker, all of us who took office this January were elected to break the gridlock in Washington.

How do we break the budget gridlock?

Give the President the line-item veto. That is how. President Clinton has said he wanted a line-item veto. On April 29, 1992, Bill Clinton said, "I strongly support the line-item veto because I believe we need to get Federal spending under control."

And like President Clinton, I support the line-item veto.

I gathered yesterday with my colleague, Mr. BLUTE from Massachusetts, and 20 other freshman Republicans to offer our help to President Clinton.

I know many of our classmates from the other side of the aisle also support the line-item veto.

Together—Democrats and Republicans—the freshman class can give President Clinton more than 100 votes for the line-item veto.

Now is the time for us to come together—Republicans and Democrats—Congress and the President of the United States. Now is the time to break the gridlock and get to work. Now is the time to give the President the line-item veto.

FREEDOM OF ACCESS, FREEDOM OF CHOICE

(Mr. KREIDLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KREIDLER. Mr. Speaker, everyone should be outraged by the murder yesterday of Dr. David Gunn, by the increasing violence against abortion clinics throughout the country, and by the response from extremists whose comments come close to justifying this coldblooded murder.

These attacks are not simply destructive to the clinics themselves. They are destructive to our democracy—for any time we allow terrorism to win, we all lose.

It is time for this Congress to protect patients and health care providers from harassment and violence. It is time to pass the Freedom of Choice Act, so all Americans will understand that in this country, women have a right to make their own choices about reproduction—and no amount of intimidation, threats, or harassment can take that right away.

And it is time to condemn the cult of self-righteous zealotry that fosters such brutal violence. Extremist fanaticism has no place in America, and its consequences are always tragic—in New York City, in Waco, and now in Florida.

DESIGNATING CLOSED MILITARY BASES AS ENTERPRISE ZONES AND AS REDEVELOPMENT AREAS

(Ms. MOLINARI asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MOLINARI. Mr. Speaker, starting tomorrow, every Member of this body will directly or indirectly face the harsh realities of military base closures. Once the list of bases to be closed is released, we will all begin to understand the dramatic and devastat-

ing affects which result from this process, and how they affect the local communities.

In particular, unemployment will rise dramatically, small and large businesses will shut down, and local constituencies will be hit by recession.

There is a great need to make sure these communities are given every tool possible to reconvert their economies from one which depends heavily on the military, to a sufficiently strong economy which can thrive without its largest employer.

One tool we in Congress must immediately make available is a means to retain as many permanent jobs, while also creating new private sector jobs to fill the void left by the military. Today, I am introducing legislation which would do just that.

My legislation would do two things. It would direct the Secretary of HUD to designate all closed military installations as enterprise zones, while also directing the Secretary of Commerce to designate these same communities as economic redevelopment areas. And, perhaps more importantly, it would automatically make such a designation a top priority.

Under current law, bases which are closed may qualify for some of the needed programs and incentives which HUD and the Department of Commerce can provide. This bill ensures that each military installation automatically qualifies for assistance. It ensures that as these bases are closed down, maintaining and creating jobs will be given top priority.

I sincerely hope that all Members will carefully consider this proposal and cosponsor this bill as a necessary step to help communities affected by the base closure process move quickly toward real and successful defense reconversion.

CONGRESS MUST ENACT LEGISLATION TO PROTECT WOMEN'S REPRODUCTIVE FREEDOM

(Mrs. MALONEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MALONEY. Mr. Speaker, I rise today in anger and horror at the brutal murder of Dr. David Gunn by an anti-abortion protester.

Dr. Gunn's murder does not take place in a vacuum. It is the tragic culmination of 12 years of increasing violence against physicians, nurses, counselors, and organizations who provide reproductive health services to women.

It is the tragic culmination of the Supreme Court's misguided decision depriving women of protection against systematic civil rights attacks.

For too long, investigations of violent attacks against clinics providing abortion services have lagged or suffered from institutional neglect.

While no one will suggest that anti-abortion organizations condone vicious murders, there has been a tendency by these zealous protesters to push the envelope of the law to force their views upon the women of America.

Congress has a responsibility to act by passing a freedom of choice law, and by passing a clinic access bill to end this violence.

By sending so many pro-choice women to Congress this year, the public has sent a resounding message to Washington that they want reproductive freedom protected.

PASS THE FREEDOM OF ACCESS TO CLINIC ENTRANCES ACT

(Mrs. MORELLA asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MORELLA. Mr. Speaker, yesterday, the most extreme act of violence occurred at an abortion clinic in Pensacola, FL. A doctor at a woman's health clinic was murdered by an anti-choice protester.

We have stood by far too long as clinics have been physically blocked, bombed, and have been subjected to arson and chemical attacks. I urge my colleagues to join me in denouncing yesterday's tragedy and in immediately passing the Freedom of Access to Clinic Entrances Act, H.R. 796. The recent clinic blockades and attacks, and now the murder of a physician, make it imperative that we take immediate action to protect women and clinics from this violence. Women must be able to safely and privately obtain medical services from health clinics. The Federal Government must be given the power to act when abortion protesters go beyond their legal right to freedom of expression and turn to violent acts.

Let us work together to quickly pass H.R. 796 and to protect the freedom of access to medical facilities.

□ 1440

IN TRIBUTE TO DR. DAVID GUNN

(Ms. MARGOLIES-MEZVINSKY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MARGOLIES-MEZVINSKY. Mr. Speaker, I am shocked and outraged at the murder yesterday of Dr. David Gunn in Pensacola, FL. Dr. Gunn, the father of two, was shot and killed in broad daylight as he went to his job.

He spent his days on the road sometimes driving 2½ hours to do what others have become too scared to do. He was a professional who was determined to give women meaningful choices about their reproductive rights.

Today as we mourn the tragedy of Dr. Gunn's senseless death, we are

again reminded of the difficult and critical work that lies ahead. We must fight to ensure safe access to medical facilities where a woman has the right to choose.

Dr. Gunn's death will not be forgotten. Instead, it will give us renewed motivation to ensure that all American women have the right to choose. His death will not be in vain. We must fight with the same spirit that shaped his life as we move forward to protect women.

PRESIDENT CLINTON, SHOW US YOUR SPECIFICS

(Mr. HOBSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOBSON. Mr. Speaker, yesterday the Democrats on the Budget Committee refused specific spending cuts offered by Republicans. As a member of the committee, I find this disappointing for several reasons.

First, candidate Clinton promised serious deficit reduction. But President Clinton gives us more taxes than spending cuts by at least 3 to 1. Our alternative budget would have allowed the President to meet his original promise to the American people.

Second, the President and the Democratic members of the Budget Committee challenged the Republicans to show us specifics. Frankly, I don't think they thought we could or would do it, but we met the challenge and identified \$429 billion of specific spending cuts over 5 years. The Democrats showed us no specifics, and they flunked their own test.

I hope my colleagues will read today's New York Times editorial page. It says that when Republican members of the Budget Committee "laid out 80 pages of detail for the committee yesterday, they were brushed aside with barely a nod. Their effort deserved better." My third point, and the reason that I am most disappointed, is that in our attempt to respond to the American taxpayers mandate—I know you all are getting postcards that say "cut spending first." The American taxpayers were brushed aside by the Democrats with barely a nod. They, the taxpayers, are the ones who truly deserve better.

KEEP THE SELECT COMMITTEE ON NARCOTICS ABUSE AND CONTROL

(Mr. TOWNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TOWNS. Mr. Speaker, I rise to address a life-threatening issue of global proportions that affects the well-being of all Americans, born and unborn. That issue is a possible elimi-

nation of the Select Committee on Narcotics Abuse and Control.

Countless antidrug advocacy groups across the Nation have pleaded with me to express their distress with this possibility. I recognize the need for all of us to tighten our belts and our responsibility to pitch in to lower the deficit. However, it would be a tragedy to abolish this efficient and highly productive committee in the name of reform.

We should not allow the Select Committee on Narcotics Abuse and Control to become the sacrificial lamb of budget cutters. The elimination of the Select Committee on Narcotics Abuse and Control will inevitably leave the taxpayers with a larger bill later.

We owe it to our constituents and to this Nation to solve this problem, not to ignore it by eliminating the Select Committee on Narcotics Abuse and Control.

POLITICAL ASYLUM HEARINGS FOR HAITIAN REFUGEES

(Mr. GILMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks, and including extraneous material.)

Mr. GILMAN. Mr. Speaker, yesterday, members of the Foreign Affairs Committee met with President Jean Bertrand Aristide to discuss the deplorable situation in Haiti. Of special concern is President Clinton's policy on Haitian refugees.

Last year, President Bush had the Coast Guard return fleeing Haitians without determining if any were entitled to political asylum. Mr. Clinton called that policy cruel.

In his campaign, Mr. Clinton promised to give fleeing Haitians refuge, and consideration for political asylum, until democracy is restored there.

Instead, President Clinton has continued the very policy he criticized—even defending it before the Supreme Court.

If that policy was wrong last year—and it was—it is equally wrong this year.

That is why, Mr. Speaker, I am calling on President Clinton to keep his promise to the people of Haiti, in introducing today the Haitian Refugee Protection Act of 1993, H.R. 1307, which I invite my colleagues to cosponsor.

It will ensure that the United States will not arbitrarily turn back Haitian people fleeing their country—without first determining if they are entitled to political asylum.

I include the full text of H.R. 1307 at this point in the RECORD:

H.R. 1307

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Haitian Refugee Protection Act of 1993".

SEC. 2. PROHIBITION OF INVOLUNTARY RETURN TO HAITI OF HAITIAN REFUGEES.

(a) ACTIONS OUTSIDE THE UNITED STATES.—The United States Government shall not return, cause to be returned, or affect the movement in any manner which results in returning, a national or habitual resident of Haiti, who is outside the territorial boundaries of the United States, to the territorial boundaries of Haiti, and no funds may be expended with respect to any such return, unless the United States Government determines in accordance with fair procedures that that individual is not, due to fears about returning to Haiti, a refugee under United States law.

(b) ACTIONS WITHIN THE TERRITORIAL WATERS OF HAITI.—The United States Government shall not return, cause to be returned, or affect the movement in any manner which results in returning, a national or habitual resident of Haiti, who is within the territorial waters of Haiti, to the land frontier or territorial land of Haiti, and no funds may be expended with respect to any such return, unless the United States Government determines in accordance with fair procedures that if that individual were outside the territory of Haiti such individual would not be, due to fears about returning to Haiti, a refugee under United States law. This subsection shall not constitute authority for conducting operations by the United States Government within the territorial waters of another country.

(c) LIMITATIONS.—

(1) The provisions of this section do not apply to an individual if—

(A) such individual ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group or political opinion; and

(B) such individual, having been convicted by a final judgment of an aggravated felony (as defined in section 101(a)(43) of the Immigration and Nationality Act) constitutes a danger to the community of the United States.

(2) The provisions of this section do not apply to national and habitual residents of Haiti at United States diplomatic and consular missions in Haiti.

THE SHOCKING MURDER OF DR. DAVID GUNN

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, no matter how fervently one feels about the right to life of the unborn, and I believe that the right to life of the unborn is not protected sufficiently, any thoughtful person has to be horrified, shocked, and greatly dismayed by the murder yesterday of Dr. David Gunn in Pensacola in front of his abortion clinic. This heinous crime is particularly reprehensible and grievous to me because the accused is a member of an antiabortion organization.

These violent and deplorable and unjustified acts, even though they are today allegations and not proven charges, taint the millions of Americans throughout this land who believe and stand for the right to life of the unborn, but whose actions take the

form of peaceful protests or seeking to pass legislation to protect the rights of the unborn.

I grieve for Dr. Gunn, I grieve for the members of his family, and condemn in the most forceful way the shameful and horrible act against his life and against all human life.

SUPPORT FOR GIVING PRESIDENT CLINTON LINE-ITEM VETO

(Mr. BLUTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUTE. Mr. Speaker, yesterday the gentleman from New York [Mr. QUINN], and I and many freshman Republican colleagues held a news conference to announce that we are firmly behind President Clinton on an important issue of deficit reduction. We pledged to work with the President to gain passage of a full line-item veto authority.

Like many members of the freshman class, the President campaigned on this issue last year. He stressed its importance as a strong tool of deficit reduction and said that as Governor of Arkansas he has used the line-item veto to discipline the budget process.

If the President supports the line-item veto, then why has he not spoken out and demanded that the Congress adopt it? Unfortunately, the forces of the status quo here in the Congress do not want to see the President have this important tool. It is no secret that the Democratic leadership and other powerful forces strongly oppose the line-item veto authority. As I said yesterday, they view it as the beginning of the end of pork-o-mania in the Congress.

Mr. Speaker, I urge all in the freshman class, Democrats and Republicans alike, to join with the President and support the line-item veto authority.

SUPPORT FOR FREEDOM OF ACCESS TO CLINIC ENTRANCES ETC.

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. NADLER. Mr. Speaker, yesterday during a demonstration in front of a women's health clinic in Florida, a physician was brutally murdered by a so-called pro-life activist who said, "Don't kill any more babies," before he pulled the trigger.

The victim, Dr. David Gunn, leaves behind a wife and two children.

This is only the most recent act of domestic terrorism perpetrated by violent extremists. No one can any longer doubt the true intentions of the so-called crusaders for life who committed an estimated 186 acts of violence

against women and their health care providers last year alone.

Mr. Speaker, I wish to enter into the RECORD a report from UPI quoting the organizers of the demonstration, a group called Rescue America. Their statements show shocking indifference to the life and family of the murdered physician, as does their asking for donations to aid the family of the murderer, not the family of the victim.

□ 1250

We must get serious about ending domestic terrorist activity targeted at American women and health care providers, and I urge my colleagues to join me in cosponsoring the Freedom of Access to Clinic Entrances Act, H.R. 796.

ABORTION PROTESTER ARRESTED IN KILLING OF DOCTOR

PENSACOLA, FL.—A protester shot a doctor to death at a Pensacola abortion clinic Wednesday after telling the physician, "Don't kill any more babies," police and protesters said.

Dr. David Gunn was shot behind Pensacola Medical Services at 9:44 a.m. Wednesday and died a short time later during surgery at Sacred Heart Hospital, Police Sgt. Jerry Potts said.

Gunn was shot several times in the chest with a .38-caliber revolver, Potts said.

Michael Frederic Griffin, 31, was arrested at the scene on an open count of murder.

Griffin approached a police officer and "admitted to him that he had just shot a person in the rear of the building, behind the building," Potts said.

Potts said police did not know what provoked the shooting. But Rescue America, a Houston group that sponsored the protest demonstration at the clinic, said the shooting followed a brief exchange in which Griffin told the doctor, "Don't kill any more babies."

Don Treshman, national director of Rescue America, issued a statement saying, "While we think Gunn's death is unfortunate, the fact is that a number of mothers would have been put at risk today and over a dozen babies would have died at his hands."

"Pro-lifers are asked to pray that he had a chance to ask for God's forgiveness for his part in the abortion holocaust before his demise," Treshman said.

Potts said there were 12 to 15 protesters demonstrating outside the clinic at the time of the shooting. Police also answered a complaint about protesters at the clinic on Friday, but there were no incidents or arrests Friday.

Rescue America said Wednesday's demonstration was the first it had held outside the clinic.

Gunn leaves a wife and two children aged 10 and 12.

Griffin was still at the Pensacola police station Wednesday afternoon and will be booked into the Escambia County Jail, police said.

Treshman said the suspect was not a member of Rescue America, but was "affiliated with an affiliate" that he declined to identify. He said Griffin had shown up regularly at abortion clinic protests in recent months, though there was never any previous indication that he carried a gun.

"He's always been quiet and kept to himself. Everyone is kind of surprised by this," Treshman said.

He said Rescue America is not affiliated with the Operation Rescue anti-abortion

group, and has a mailing list of about 35,000 families. Treshman also said Rescue America would continue its protests in Pensacola.

CUT SPENDING FIRST

(Mr. INGLIS asked and was given permission to address the House for 1 minute.)

Mr. INGLIS. Mr. Speaker, this morning I received in my office from a constituent in Spartanburg, SC, a sign that sums it up very well. We have it hanging over our door. It says, "Cut Spending First."

Mr. Speaker, he is fairly specific in his request.

Mr. Speaker, yesterday in the House Budget Committee meetings the Republicans got very specific and presented a very detailed list of proposed spending cuts. Unfortunately, each and everyone of those was rejected by the Democrat majority on that committee. I would encourage the Democrats on that committee and here in the House to understand that specifics are not bad, in fact they are good.

On our side I was able to successfully get the gasoline extension—the extension of the gasoline tax, due to expire in 1995, out of our package. That is good because we are going to free the American people from the burden of taxation that has become increasingly, and increasingly crushing to the American people.

Finally, when we get specific about these cuts, let us start here and let us do what we did yesterday in attempting to cut committee staffs in half and cutting the franking privilege by 75 percent.

Mr. Speaker, cuts start in this House.

OUTRAGED AT THE MURDER OF DR. GUNN

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, I rise today to express outrage and to condemn the vicious murder of Dr. David Gunn in Pensacola, FL, yesterday. Dr. Gunn was slain while stepping from his car during an anti-abortion protest at the clinic where he worked. I must point out that, although I am angry, grieved, and frustrated by the murder, I am not too surprised. Dr. Gunn's clinic, along with scores of others across the country, have been bombed and vandalized repeatedly over the past decade. Mr. Speaker, most of these acts of violence aimed at doctors, clinics, and patients go unpunished.

Mr. Speaker, it is time to debunk the myth of nonviolent protests that occur outside abortion clinics everyday in America. Dr. Gunn's murder provides a glimpse at the darker side of the anti-choice movement. Mr. Speaker, it is time for law enforcement officials at

all levels to step up prosecution and to treat these crimes as the serious and dangerous offenses that they are.

AMERICAN PEOPLE WANT REAL, NOT MAKE-BELIEVE, CUTS

(Mr. ISTOOK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISTOOK. Mr. Speaker, as children, we all played hide and seek. This Congress is playing a new game. It is called hide the truth. The budget is supposed to decrease the Federal deficit, but hidden in the small print is a proposal to push the Federal debt ceiling even further beyond the \$4 trillion mark.

Let us be honest here. The Government has this enormous debt because it's addicted to increasing spending. Let us help this addict by cutting its appetite for our constituents' hard-earned tax dollars.

Republicans presented a plan that cuts the deficit by \$70 billion more than the Clinton version and does it more quickly, with no new taxes, without the new spending of the Clinton plan, with half the defense cuts, but four times the cuts in foreign aid.

Mr. Speaker, the Democrats shot it down. But their plan did not actually make cuts. They only promised to be good boys and girls and decide later on cuts. But now you will pretend you have eaten your spinach and you want dessert, meaning more new taxes. Well, every parent knows that trick. The spinach has not been eaten; it has just been pushed into the garbage.

Let us stop the garbage and stop the games like hide-and-seek. The American people want real cuts in Federal spending, not just another game of make believe.

FISCAL ACCOUNTABILITY AND INTERGOVERNMENTAL REFORM ACT

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MORAN. Mr. Speaker, as we focus on the enormity of the Federal budget deficit, we cannot ignore what is happening to State and local governments because they are facing their own very serious fiscal crises. Most are precluded by law from piling up the enormous Federal deficit that we have.

So what they have had to do is to cut back, seriously cut back in schools, police, fire protection, and other essential municipal services. They tell us that the most crushing financial burden that State and local governments are facing is unfunded Federal mandates.

My colleague, the gentleman from Pennsylvania [Mr. GOODLING] and I

have introduced a bill called the Fiscal Accountability and Intergovernmental Reform Act, that would put an end to the tendency to pass the bill and pass the buck onto others to pay for it.

Mr. Speaker, I urge my colleagues to support it.

Like the National Environmental Policy Act, this measure will require Federal agencies to analyze the economic costs of new regulations before they are adopted.

And, like the 1974 Budget Reform Act, this measure will require that a bill cannot be considered by the full House or Senate without an analysis of the costs of compliance to State and local governments and to the private sector.

Mr. Speaker, this legislation is necessary to safeguard against a tendency within this institution and among the Federal agencies to resort to more and more unfunded Federal mandates.

Enacting new unfunded Federal mandates is not good government; it's passing the buck to State and local governments and the private sector.

While many of these Federal mandates represent vital public policy objectives, the need for State and local governments to be able to spend local resources on local priorities must also be respected.

Only by fully evaluating the economic impact of Federal regulations on State and local governments are policymakers at all levels able to balance priorities for finite resources.

The same is true for the private sector, particularly small businesses.

Clearly, there is a need to identify the costs of Federal mandates before they are implemented, so the administration and Congress have the facts they need to make informed decisions.

The intent of this legislation is not to impede the legislative or the regulatory process.

It is simply to make sure that we as legislators—and the administrators to whom we delegate rulemaking and regulatory responsibility—fully appreciate the financial implications of our decisions before we make them.

CHANGE THE STATUS QUO, CUT SPENDING FIRST

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, I would like to state my frustration as a Budget Committee member who was asked yesterday to vote on a budget resolution without any information about the specific cuts and program increases that were part of that package. The President and his budget director challenged Republicans of the Committee on the Budget to be as specific as he was, and yet his own party chose not to reveal any of the details of their proposed budget resolution.

The Republicans laid out 80 pages of detail on specific budget cuts, and it was disturbing that every Democrat during the 10-hour Budget Committee meeting voted against every Republican amendment to cut spending.

Mr. Speaker, I came to this Congress to make the tough choices. What appears to be business as usual, tax and spend, can still be changed if the American people tell their Representatives in Congress to cut spending first.

Increased taxes should only be used to pay off the debt, and we should cut spending before we do anything else.

IT IS TIME FOR CONGRESS TO PASS THE FREEDOM OF CHOICE ACT

(Mr. SANDERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, 12 years of relentless assault by the Reagan and Bush administrations on the rights of women to control their own bodies has engendered a climate of intimidation, intolerance, and violence, and yesterday we saw the awful manifestation of that hatred.

When a doctor who performs abortions is gunned down in broad daylight, it is time for Congress to act; it is time for Congress to pass the Freedom of Choice Act and to make it clear from one end of this country to the other that women and woman alone must have the right to make the difficult choice regarding abortion.

When women seeking abortions and doctors working in abortion clinics must fear for their lives, something is terrible wrong in our country.

Mr. Speaker, this Congress must pass legislation which makes clear to all, to all, that the right of choice with regard to abortion is a right of privacy, is a constitutional right.

Mr. Speaker, let us pass the Freedom of Choice Act.

WHO SAID SPECIFICS?

(Mr. ALLARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ALLARD. Mr. Speaker, this past month I have heard it all. First, the OMB Director, Mr. Panetta, asked the Republicans to be specific in your requests, and the President made the same remarks. Now the Democrats on the Committee on the Budget are saying that that does not apply to them.

Mr. Speaker, yesterday, I along with my Republican colleagues offered specific spending cuts totaling \$428 billion over 5 years—\$40 billion alone was in the first year. We did it without one tax increase.

Our colleagues on the other side of the aisle offered approximately \$60 bil-

lion of additional spending reductions to the administration's plan, however, they have no idea on where the cuts are going to be made. Worse yet, if they do know they are not sure they want to share them with the public because not one of them wants their fingerprints on the cuts.

May I indulge and ask of any one of the Members on the other side of the aisle to come forward and show us where you are proposing to make these additional cuts.

NATIONAL INSTITUTES OF HEALTH REVITALIZATION ACT OF 1993

The SPEAKER pro tempore. Pursuant to House Resolution 119 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4.

□ 1300

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4) to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes, with Mr. MFUME in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Wednesday, March 10, 1993, amendment No. 8 offered by the gentleman from Nebraska, [Mr. BEREUTER] had been disposed of.

No further amendments being in order, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MURTHA) having assumed the chair, Mr. MFUME, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4) to amend the Public Health Service Act to revise and extend the programs of the National Institutes of Health, and for other purposes, pursuant to House Resolution 119, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment?

Mr. SOLOMON. Mr. Speaker, I demand a separate vote on the following amendments: The so-called Bliley amendment, as amended; the so-called

Waxman technical amendment; the so-called Gilman amendment; the so-called Traficant amendment; and the so-called Sam Johnson amendment.

The SPEAKER pro tempore. The Clerk will report the first amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment:

In section 111 of the bill, in section 498A of the Public Health Service Act (as proposed to be inserted by the bill), strike subsection (b) and insert the following:

"(b) INFORMED CONSENT OF DONOR.—

"(1) IN GENERAL.—In research carried out under subsection (a), human fetal tissue may be used only if the woman providing the tissue makes a statement, made in writing and signed by the woman, declaring that—

"(A) the woman donates the fetal tissue for use in research described in subsection (a);

"(B) the donation is made without any restriction regarding the identity of individuals who may be the recipients of transplantations of the tissue; and

"(C) the woman has not been informed of the identity of any such individuals.

"(2) ADDITIONAL STATEMENT.—In research carried out under subsection (a), human fetal tissue may be used only if the attending physician with respect to obtaining the issue from the woman involved makes a statement, made in writing and signed by the physician, declaring that—

"(A) in the case of tissue obtained pursuant to an induced abortion—

"(i) the consent of the woman for the abortion was obtained prior to request or obtaining consent for a donation of the tissue for use in such research;

"(ii) no alteration of the timing, method, or procedures used to terminate the pregnancy was made solely for the purposes of obtaining the tissue; and

"(iii) the abortion was performed in accordance with applicable State law;

"(B) the tissue has been donated by the woman in accordance with paragraph (1); and

"(C) full disclosure has been provided to the woman with regard to—

"(i) such physician's interest, if any, in the research to be conducted with the tissue; and

"(ii) any known medical risks to the woman or risks to her privacy that might be associated with the donation of the tissue and that are in addition to risks of such type that are associated with the woman's medical care.

In section 111 of the bill, in subsection (c)(1)(B) of section 498A of the Public Health Service Act (as proposed to be inserted by the bill), strike "subsequent" and insert "pursuant to".

In section 111 of the bill, in section 498A of the Public Health Service Act (as proposed to be inserted by the bill), insert after subsection (e) the following subsection (and redesignate subsequent subsections accordingly):

"(f) REPORT.—The Secretary shall annually submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the activities carried out under this section during the preceding fiscal year, including a description of whether and to what extent research under subsection (a) has been conducted in accordance with this section.

Mr. SOLOMON (during the reading). Mr. Speaker. I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SOLOMON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Let the Chair announce that the votes following after this first vote will be reduced to 5 minutes.

The vote was taken by electronic device, and there were—yeas 250, nays 161, not voting 19, as follows:

[Roll No. 64]

YEAS—250

Abercrombie	English (OK)	LaRocco
Ackerman	Eshoo	Laughlin
Andrews (ME)	Evans	Lazio
Andrews (NJ)	Fawell	Leach
Andrews (TX)	Fazio	Lehman
Bacchus (FL)	Fields (LA)	Levin
Baessler	Filner	Lewis (FL)
Barlow	Fingerhut	Lewis (GA)
Barrett (WI)	Flake	Lipinski
Becerra	Ford (MI)	Lloyd
Beilenson	Fowler	Long
Bentley	Frank (MA)	Lowey
Bereuter	Franks (CT)	Machtley
Berman	Franks (NJ)	Maloney
Bevill	Furse	Mann
Bilbray	Gallo	Margolies-
Bishop	Gedjenson	Mezvisinsky
Blackwell	Gephardt	Martinez
Boehlert	Geren	Matsui
Bonior	Gibbons	McCloskey
Borski	Gilchrest	McCurdy
Brewster	Gilman	McDermott
Brooks	Glickman	McHale
Browder	Gonzalez	McInnis
Brown (CA)	Gordon	McKinney
Brown (FL)	Green	McMillan
Brown (OH)	Greenwood	Meehan
Bryant	Gunderson	Meek
Byrne	Hall (TX)	Menendez
Cantwell	Hamburg	Meyers
Carr	Hamilton	Mfume
Castle	Hefner	Miller (CA)
Chapman	Hilliard	Miller (FL)
Clay	Hinchey	Minge
Clayton	Hoagland	Mink
Clement	Hobson	Moakley
Clyburn	Hochbrueckner	Molinari
Coleman	Horn	Montgomery
Collins (MI)	Houghton	Moran
Condit	Hoyer	Morella
Cooper	Hughes	Nadler
Coppersmith	Inslee	Natcher
Coyne	Jacobs	Neal (MA)
Cramer	Jefferson	Neal (NC)
Danner	Johnson (CT)	Obey
Darden	Johnson (GA)	Oliver
DeFazio	Johnson (SD)	Owens
DeLauro	Johnson, E.B.	Pallone
Dellums	Johnston	Pastor
Derrick	Kaptur	Payne (NJ)
Deutsch	Kennedy	Payne (VA)
Dicks	Kennelly	Pelosi
Dingell	Kildee	Peterson (FL)
Dixon	Kiecicka	Pickett
Dooley	Klein	Pickle
Dunn	Klug	Pomeroy
Durbin	Kolbe	Porter
Edwards (CA)	Kreidler	Price (NC)
Edwards (TX)	Lambert	Pryce (OH)
Engel	Lancaster	Ramstad
English (AZ)	Lantos	Rangel

Ravenel	Shays	Towns
Reed	Shepherd	Trafcant
Reynolds	Sisisky	Tucker
Richardson	Skaggs	Unsoeld
Ridge	Slattery	Upton
Rose	Slaughter	Valentine
Rostenkowski	Smith (IA)	Velazquez
Roukema	Snowe	Verter
Rowland	Spratt	Visclosky
Roybal-Allard	Stark	Washington
Rush	Stokes	Waters
Sabo	Strickland	Waxman
Sanders	Studds	Wheat
Sangmeister	Swett	Whitten
Sarpalius	Swift	Williams
Sawyer	Synar	Wise
Schenk	Tanner	Woolsey
Schroeder	Thomas (CA)	Wyden
Schumer	Thornton	Wynn
Scott	Thurman	Yates
Serrano	Torkildsen	Zeliff
Sharp	Torres	Zimmer
Shaw	Torricelli	

NAYS—161

Allard	Grandy	Oxley
Applegate	Hall (OH)	Packard
Archer	Hancock	Parker
Armey	Hansen	Paxon
Bachus (AL)	Hastert	Penny
Baker (CA)	Hayes	Peterson (MN)
Baker (LA)	Hefley	Petri
Ballenger	Herger	Pombo
Barcia	Hoekstra	Poshard
Barrett (NE)	Hoke	Quillen
Bartlett	Holden	Quinn
Bateman	Huffington	Rahall
Bilirakis	Hunter	Regula
Bliley	Hutchinson	Roberts
Blute	Hutto	Roemer
Boehner	Hyde	Rogers
Bonilla	Inglis	Rohrabacher
Bunning	Inhofe	Ros-Lehtinen
Burton	Istook	Roth
Buyer	Johnson, Sam	Royce
Callahan	Kanjorski	Santorum
Calvert	Kasich	Saxton
Camp	Kim	Schaefer
Canady	King	Schiff
Clinger	Kingston	Sensenbrenner
Coble	Klink	Shuster
Collins (GA)	Knollenberg	Skeen
Combest	Kyl	Skelton
Costello	LaFalce	Smith (NJ)
Cox	Levy	Smith (OR)
Crane	Lewis (CA)	Smith (TX)
Cunningham	Lightfoot	Solomon
de la Garza	Linder	Spence
Deal	Livingston	Stearns
DeLay	Manton	Stenholm
Diaz-Balart	Manzullo	Stump
Dickey	Mazzoli	Stupak
Doolittle	McCandless	Sundquist
Dornan	McCollum	Talent
Dreier	McCrery	Tauzin
Duncan	McHugh	Taylor (MS)
Emerson	McKeon	Taylor (NC)
Everett	McNulty	Tejeda
Ewing	Mica	Thomas (WY)
Fields (TX)	Michel	Volkmer
Fish	Mollohan	Vucanovich
Gallegly	Moorhead	Walker
Gekas	Murphy	Walsh
Gillmor	Murtha	Watt
Gingrich	Myers	Weldon
Goodlatte	Nussle	Wolf
Goodling	Oberstar	Young (AK)
Goss	Ortiz	Young (FL)
Grams	Orton	

NOT VOTING—19

Barton	Ford (TN)	Markey
Boucher	Frost	McDade
Cardin	Gutierrez	Mineta
Collins (IL)	Harman	Smith (MI)
Conyers	Hastings	Wilson
Crapo	Henry	
Foglietta	Kopetski	

□ 1322

Mr. COBLE and Mr. APPEGATE changed their vote from "yea" to "nay."

Messrs. BEILENSEN, KENNEDY, OBEY, McMILLAN, and BISHOP changed their vote from "nay" to "yea."

So the amendment was agreed to. The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MURTHA). The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Strike section 1302 of the bill. Insert after section 403 of the bill the following:

SEC. 404. STUDY OF ENVIRONMENTAL AND OTHER RISKS CONTRIBUTING TO INCIDENCE OF BREAST CANCER.

(a) REQUIREMENT OF STUDY.—

(1) IN GENERAL.—The Director of the National Cancer Institute (in this section referred to as the "Director"), in collaboration with the Director of the National Institute of Environmental Health Sciences, shall conduct a case-controlled study to assess biological markers of environmental and other risk factors contributing to the incidence of breast cancer in—

(A) the Counties of Nassau and Suffolk, in the State of New York; and

(B) the 2 counties in the northeastern United States that, as identified in the report specified in paragraph (2), had the highest age-adjusted mortality rate of such cancer that reflected not less than 30 deaths during the 5-year period for which findings are made in the report.

(2) RELEVANT REPORT.—The report referred to in paragraph (1)(B) is the report of the findings made in the study entitled "Survival, Epidemiology, and End Results", relating to cases of cancer during the years 1983 through 1987.

(b) CERTAIN ELEMENTS OF STUDY.—Activities of the Director in carrying out the study under subsection (a) shall include the use of a geographic system to evaluate the current and past exposure of individuals, including direct monitoring and cumulative estimates of exposure, to—

- (1) contaminated drinking water;
- (2) sources of indoor and ambient air pollution, including emissions from aircraft;
- (3) electromagnetic fields;
- (4) pesticides and other toxic chemicals;
- (5) hazardous and municipal waste; and
- (6) such other factors as the Director determines to be appropriate.

(c) REPORT.—Not later than 30 months after the date of the enactment of this Act, the Director shall complete the study required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

(d) FUNDING.—Of the amounts appropriated for fiscal years 1994 and 1995 for the National Institute of Environmental Health Sciences and the National Cancer Institute, the Director of the National Institutes of Health shall make available amounts for carrying out the study required in subsection (a).

In section 1801 of the bill, in section 2352(b) of the Public Health Service Act (as proposed to be inserted by the bill), insert "the National Institute on Drug Abuse," after "Infectious Diseases."

Insert after section 208 of the bill the following:

SEC. 209. ESTABLISHMENT OF OFFICE OF ALTERNATIVE MEDICINE.

Part A of title IV of the Public Health Service Act, as amended by section 207 of this Act, is amended by adding at the end of the following section:

"OFFICE OF ALTERNATIVE MEDICINE

"SEC. 404E. (a) There is established within the Office of the Director of NIH an office to be known as the Office of Alternative Medicine (in this section referred to as the 'Office'), which shall be headed by a director appointed by the Director of NIH.

"(b) The purpose of the Office is to facilitate the evaluation of various alternative medicine treatment modalities, including acupuncture and Oriental medicine, homeopathic medicine, and physical manipulation therapies.

"(c) In carrying out subsection (b), the Director of the Office shall—

"(1) establish an information clearinghouse to exchange information with the public about alternative medicine;

"(2) support research training—

"(A) for which fellowship support is not provided under section 487; and

"(B) that is not residency training of physicians or other health professionals; and

"(3) submit an annual report on past and future activities of the Office, each of which reports shall be submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate."

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Let the Chair announce again that this will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 350, noes 67, not voting 13, as follows:

[Roll No. 65]

AYES—350

Abercrombie	Bilbray	Camp
Ackerman	Bilirakis	Cantwell
Andrews (ME)	Bishop	Cardin
Andrews (NJ)	Blackwell	Carr
Andrews (TX)	Bliley	Castle
Applegate	Blute	Chapman
Bacchus (FL)	Boehlert	Clay
Bachus (AL)	Bonilla	Clayton
Baessler	Bonior	Clement
Baker (LA)	Borski	Clinger
Barcia	Brewster	Clyburn
Barlow	Brooks	Coble
Barrett (NE)	Browder	Coleman
Barrett (WI)	Brown (CA)	Collins (GA)
Barton	Brown (FL)	Collins (MI)
Bateman	Brown (OH)	Combest
Becerra	Bryant	Condit
Beilenson	Bunning	Cooper
Bentley	Buyer	Coppersmith
Bereuter	Byrne	Costello
Berman	Callahan	Cox
Bevill	Calvert	Coyne

Cramer
Danner
Darden
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Durbin
Edwards (CA)
Edwards (TX)
Emerson
Engel
English (AZ)
English (OK)
Eshoo
Evans
Fawell
Fazio
Fields (LA)
Fields (TX)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Frank (MA)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Gordon
Goss
Grandy
Green
Greenwood
Gunderson
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Hansen
Harman
Hastert
Hayes
Hefley
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Hoke
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Hunter
Hutto
Hyde
Inhofe
Insole
Istook
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kasich
Kennedy
Kennelly

Kildee
King
Kleczka
Klein
Klug
Kreidler
Kyl
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Leach
Lehman
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Manton
Manzullo
Margolies
Mezvinsky
Martinez
Matsui
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Mfume
Michel
Miller (CA)
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Oliver
Ortiz
Orton
Owens
Oxley
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Penny
Peterson (FL)
Petri
Pickett
Pickle
Pomeroy
Porter
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad

Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Everett
Ewing
Fish

NOES—67

Allard
Archer
Armey
Baker (CA)
Ballenger
Bartlett
Boehner
Burton
Canady
Crane
Crapo
Cunningham
de la Garza
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Everett
Ewing
Fish

Fowler
Gekas
Gillmor
Goodling
Grams
Hancock
Herger
Hoekstra
Hutchinson
Ingalls
Johnson, Sam
Kim
Kingston
Klink
Knollenberg
Kolbe
Linder
Mann
McCandless
Meyers
Mica
Miller (FL)
Minge

Packard
Paxon
Peterson (MN)
Pombo
Quillen
Roth
Royce
Santorum
Schaefer
Sensenbrenner
Shuster
Skelton
Smith (MI)
Spence
Stearns
Stump
Stupak
Taylor (NC)
Thomas (CA)
Walker
Zimmer

NOT VOTING—13

Boucher
Collins (IL)
Conyers
Ford (TN)
Gutierrez

Hastings
Henry
Kopetski
Markay
McDade

Mineta
Pelosi
Wilson

□ 1333

Mr. CUNNINGHAM changed his vote from "aye" to "no."

Messrs. MANZULLO, LAFALCE, ZELIFF, and EMERSON changed their vote from "no" to "aye."

Mr. BUYER changed his vote from "present" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MURTHA). The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Insert after section 1907 of the bill the following:

SEC. 1908. BACK INJURIES.

(a) IN GENERAL.—The Director of the National Institutes of Health, acting through the appropriate national research institute, shall conduct a study of back injuries, with consideration of the following:

(1) Accurate diagnosis, and the appropriate form of treatment.

(2) Providing for return to employment as soon as is practicable.

(3) Minimizing the probability of recurrence.

(4) A comparison of conventional treatments and alternative treatments.

(5) Costs to the health care system.

(6) Costs to the economy generally.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director of the National Institutes of Health shall complete the study required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This vote will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 305, noes 109, not voting 16, as follows:

[Roll No. 66]

AYES—305

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Applegate
Bacchus (FL)
Baesler
Baker (LA)
Barcia
Barlow
Barrett (NE)
Barrett (WI)
Bateman
Becerra
Beilenson
Bentley
Bereuter
Berman
Bevill
Bilirakis
Bishop
Blackwell
Bliley
Boehlert
Bonior
Borski
Brooks
Browder
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Buyer
Byrne
Calvert
Camp
Cantwell
Carr
Castle
Chapman
Clay
Clayton
Clement
Clinger
Clyburn
Coleman
Collins (MI)
Combust
Condit
Cooper
Coppersmith
Costello
Cox
Coyne
Cramer
Crapo
Danner
Darden
de la Garza
Deal
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Edwards (CA)
Engel

English (AZ)
English (OK)
Evans
Fawell
Fazio
Fields (LA)
Filner
Fingerhut
Fish
Flake
Foglietta
Ford (MI)
Franks (CT)
Franks (NJ)
Frost
Furse
Gallegly
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilchrest
Gillmor
Gilman
Gingrich
Glickman
Gonzalez
Goodlatte
Goodling
Goss
Grandy
Green
Greenwood
Gunderson
Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hastert
Hayes
Hefner
Hilliard
Hobson
Hochbrueckner
Hoke
Holden
Horn
Hoyer
Huffington
Hughes
Hutto
Hyde
Insole
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kaptur
Kennedy
Kennelly
Kildee
Kim
Kleczka
Klein
Kreidler
Kyl
LaFalce
Lancaster

Lantos
LaRocco
Laughlin
Leach
Lehman
Levin
Levy
Lewis (FL)
Lewis (GA)
Lightfoot
Lipinski
Livingston
Lloyd
Long
Lowey
Machtley
Maloney
Manton
Margolies
Mezvinsky
Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McDermott
McHale
McHugh
McKinney
McMillan
McNulty
Meehan
Meek
Menendez
Mfume
Michel
Miller (CA)
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Oliver
Ortiz
Owens
Oxley
Pallone
Parker
Pastor
Payne (NJ)
Payne (VA)
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Pomeroy
Poshard
Price (NC)

Quillen	Shaw	Thurman
Rahall	Shays	Torres
Rangel	Shuster	Torricelli
Ravenel	Sisisky	Towns
Reed	Skeen	Trafficant
Regula	Slaughter	Tucker
Reynolds	Smith (IA)	Unsoeld
Richardson	Smith (NJ)	Upton
Ridge	Smith (OR)	Valentine
Rogers	Smith (TX)	Velazquez
Rohrabacher	Snowe	Vento
Ros-Lehtinen	Solomon	Visclosky
Rose	Spence	Vucanovich
Rostenkowski	Stark	Walsh
Roth	Stearns	Washington
Rowland	Stokes	Waxman
Roybal-Allard	Strickland	Weldon
Rush	Studds	Wheat
Sabo	Stupak	Whitten
Sanders	Sundquist	Williams
Sangmeister	Swett	Wise
Sawyer	Swift	Wolf
Saxton	Synar	Woolsey
Schenk	Tanner	Wyden
Schiff	Tauzin	Wynn
Schroeder	Taylor (NC)	Yates
Schumer	Tejeda	Young (AK)
Scott	Thomas (WY)	Young (FL)
Serrano	Thornton	Zeliff

NOES—109

Allard	Frank (MA)	Orton
Archer	Gekas	Packard
Armey	Grams	Paxon
Bachus (AL)	Hancock	Penny
Baker (CA)	Hansen	Petri
Ballenger	Hefley	Pombo
Bartlett	Herger	Porter
Barton	Hinchey	Pryce (OH)
Bilbray	Hoagland	Quinn
Blute	Hoekstra	Ramstad
Boehner	Hunter	Roberts
Bonilla	Hutchinson	Roemer
Brewster	Inglis	Roukema
Burton	Inhofe	Royce
Callahan	Istook	Santorum
Canady	Johnson, Sam	Sarpalius
Cardin	Kanjorski	Schaefer
Coble	Kasich	Sensenbrenner
Collins (GA)	King	Sharp
Crane	Kingston	Shepherd
Cunningham	Klink	Skaggs
DeLay	Klug	Skelton
Dickey	Knollenberg	Slattey
Dooley	Kolbe	Smith (MI)
Doolittle	Lambert	Spratt
Dornan	Lewis (CA)	Stenholm
Dreier	Linder	Stump
Duncan	Mann	Talent
Dunn	Manzullo	Taylor (MS)
Durbin	McCurdy	Thomas (CA)
Edwards (TX)	McInnis	Torkildsen
Emerson	McKeon	Volkmer
Eshoo	Mica	Walker
Everett	Miller (FL)	Watt
Ewing	Minge	Zimmer
Fields (TX)	Nussle	
Fowler	Obey	

NOT VOTING—16

Boucher	Hastings	Mineta
Collins (IL)	Henry	Pelosi
Conyers	Houghton	Waters
Ford (TN)	Kopetski	Wilson
Gordon	Markay	
Gutierrez	McDade	

□ 1340

Messrs. SHARP, TAYLOR of Mississippi, CARDIN, KASICH, and DUNCAN changed their vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MURTHA). The clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Insert after section 2003 of the bill the following section:

SEC. 2004. BUY-AMERICAN PROVISIONS.

No funds appropriated pursuant to this Act may be used to fund a grant or contract unless the recipient agrees that substantially all goods and services acquired with such grant or contract assistance will be produced in the United States.

Mr. WALKER (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 405, noes 9, not voting 16, as follows:

[Roll No. 67]

AYES—405

Abercrombie	Carr	Fields (LA)
Ackerman	Castle	Fields (TX)
Allard	Chapman	Filner
Andrews (ME)	Clay	Fingerhut
Andrews (NJ)	Clayton	Fish
Andrews (TX)	Clement	Flake
Applegate	Clinger	Foglietta
Archer	Clyburn	Ford (MI)
Bacchus (FL)	Coble	Fowler
Bachus (AL)	Coleman	Frank (MA)
Baerler	Collins (GA)	Franks (CT)
Baker (CA)	Collins (MI)	Franks (NJ)
Baker (LA)	Combest	Frost
Ballenger	Condit	Furse
Barcia	Cooper	Gallegly
Barlow	Coppersmith	Gallo
Barrett (NE)	Costello	Gejdenson
Barrett (WI)	Cox	Gekas
Bartlett	Coyne	Gephardt
Barton	Cramer	Geren
Bateman	Crane	Gibbons
Becerra	Crapo	Gilchrest
Beilenson	Cunningham	Gillmor
Bentley	Danner	Gilman
Bereuter	Darden	Gingrich
Berman	de la Garza	Glickman
Bevill	Deal	Gonzalez
Bilbray	DeFazio	Goodlatte
Bilirakis	DeLauro	Goodling
Bishop	Dellums	Goss
Blackwell	Derrick	Grams
Bliley	Deutsch	Grandy
Blute	Diaz-Balart	Green
Boehlert	Dickey	Greenwood
Boehner	Dicks	Gunderson
Bonilla	Dingell	Hall (OH)
Bonior	Dixon	Hall (TX)
Borski	Dooley	Hamburg
Brewster	Doolittle	Hamilton
Brooks	Dornan	Hancock
Browder	Duncan	Hansen
Brown (CA)	Dunn	Harman
Brown (FL)	Durbin	Hastert
Brown (OH)	Edwards (CA)	Hayes
Bryant	Edwards (TX)	Hefley
Bunning	Emerson	Hefner
Burton	Engel	Herger
Buyer	English (AZ)	Hilliard
Byrne	English (OK)	Hinchey
Callahan	Eshoo	Hoagland
Calvert	Evans	Hobson
Camp	Everett	Hochbrueckner
Canady	Ewing	Hoekstra
Cantwell	Fawell	Hoke
Cardin	Fazio	Holden

Horn	Menendez	Schenk
Houghton	Meyers	Schiff
Hoyer	Mfume	Schroeder
Huffington	Mica	Schumer
Hughes	Michel	Scott
Hunter	Miller (CA)	Sensenbrenner
Hutchinson	Miller (FL)	Serrano
Hutto	Minge	Sharp
Hyde	Mink	Shaw
Inglis	Moakley	Shays
Inhofe	Molinar	Shuster
Inslee	Mollohan	Sisisky
Istook	Montgomery	Skaggs
Jacobs	Moorhead	Skeen
Jefferson	Moran	Skelton
Johnson (CT)	Morella	Slattey
Johnson (GA)	Murphy	Slaughter
Johnson (SD)	Murtha	Smith (IA)
Johnson, E.B.	Myers	Smith (NJ)
Johnson, Sam	Nadler	Smith (OR)
Johnston	Natcher	Smith (TX)
Kanjorski	Neal (MA)	Snowe
Kaptur	Neal (NC)	Solomon
Kasich	Nussle	Spence
Kennedy	Oberstar	Spratt
Kennelly	Obey	Stark
Kildee	Oliver	Stearns
Kim	Ortiz	Stenholm
Kingston	Orton	Stokes
Klecza	Owens	Strickland
Klein	Oxley	Studds
Klink	Packard	Stupak
Klug	Pallone	Sundquist
Knollenberg	Parker	Swett
Kreidler	Pastor	Swift
Kyl	Paxon	Synar
LaFalce	Payne (NJ)	Talent
Lambert	Payne (VA)	Tanner
Lancaster	Pelosi	Tauzin
Lantos	Penny	Taylor (MS)
LaRocco	Peterson (FL)	Taylor (NC)
Laughlin	Peterson (MN)	Tejeda
Lazio	Petri	Thomas (WY)
Leach	Pickett	Thornton
Lehman	Pickle	Thurman
Levin	Pombo	Torkildsen
Levy	Pomeroy	Torres
Lewis (FL)	Porter	Torricelli
Lewis (GA)	Poshard	Towns
Lightfoot	Price (NC)	Trafficant
Linder	Pryce (OH)	Tucker
Lipinski	Quillen	Unsoeld
Livingston	Quinn	Upton
Lloyd	Rahall	Valentine
Long	Ramstad	Velazquez
Lowey	Rangel	Vento
Machtley	Ravenel	Visclosky
Maloney	Reed	Volkmer
Mann	Regula	Vucanovich
Manton	Reynolds	Walker
Manzullo	Richardson	Walsh
Margolies	Ridge	Washington
Mezvinsky	Roberts	Waters
Martinez	Roemer	Watt
Matsui	Rogers	Waxman
Mazzoli	Rohrabacher	Weldon
McCandless	Ros-Lehtinen	Wheat
McCloskey	Rostenkowski	Whitten
McCollum	Roth	Williams
McCrery	Roukema	Wise
McCurdy	Rowland	Wolf
McDermott	Roybal-Allard	Woolsey
McHale	Rush	Wyden
McHugh	Sabo	Wynn
McInnis	Sanders	Yates
McKeon	Sangmeister	Young (AK)
McKinney	Santorum	Young (FL)
McMillan	Sarpalius	Zeliff
McNulty	Sawyer	Zimmer
Meehan	Saxton	
Meek	Schaefer	

NOES—9

Armey	King	Smith (MI)
DeLay	Kolbe	Stump
Dreier	Royce	Thomas (CA)

NOT VOTING—16

Boucher	Hastings	Mineta
Collins (IL)	Henry	Rose
Conyers	Kopetski	Shepherd
Ford (TN)	Lewis (CA)	Wilson
Gordon	Markay	
Gutierrez	McDade	

□ 1346

Mr. ROYCE changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Clerk will report the last amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: Insert after section 2003 of the bill the following:

SEC. 2004. PROHIBITION AGAINST FURTHER FUNDING FOR PROJECT ARIES.

For fiscal year 1994 and each subsequent fiscal year, the project administered by the University of Washington at Seattle and known as Project Aries may not receive any funding from any agency of the National Institutes of Health, other than payments under awards made for fiscal year 1993 or prior fiscal years.

The SPEAKER pro tempore (during the reading). Without objection, the amendment is considered as read.

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WALKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 278, noes 139, not voting 13, as follows:

[Roll No. 68]

AYES—278

Allard	Clinger	Franks (NJ)
Andrews (TX)	Clyburn	Frost
Applegate	Coble	Galleghy
Archer	Collins (GA)	Gallo
Armey	Combest	Gekas
Bachus (AL)	Condit	Geren
Baesler	Cooper	Gilchrest
Baker (CA)	Cox	Gillmor
Baker (LA)	Cramer	Gilman
Ballenger	Crane	Gingrich
Barcia	Crapo	Glickman
Barlow	Cunningham	Goodlatte
Barrett (NE)	Danner	Goodling
Bartlett	Darden	Gordon
Barton	de la Garza	Goss
Bateman	Deal	Grams
Bentley	DeLay	Grandy
Bereuter	Derrick	Greenwood
Bevill	Deutsch	Hall (TX)
Bilbray	Diaz-Balart	Hamilton
Billakis	Dickey	Hancock
Bliley	Dingell	Hansen
Blute	Dooley	Hastert
Boehlert	Doolittle	Hayes
Boehner	Dorman	Hefley
Bonilla	Dreier	Hefner
Browder	Duncan	Herger
Brown (FL)	Dunn	Hobson
Bunning	Edwards (TX)	Hochbrueckner
Burton	Emerson	Hoekstra
Buyer	English (OK)	Hoke
Byrne	Everett	Holden
Callahan	Ewing	Horn
Calvert	Fawell	Houghton
Camp	Fields (TX)	Hoyer
Canady	Fingerhut	Huffington
Carr	Fish	Hughes
Castle	Ford (MI)	Hunter
Chapman	Fowler	Hutchinson
Clement	Franks (CT)	Hutto

Hyde	Mica	Sensenbrenner
Inglis	Michel	Shaw
Inhofe	Miller (FL)	Shays
Istook	Moakley	Shuster
Jacobs	Molinari	Sisisky
Johnson (CT)	Mollohan	Skeen
Johnson (GA)	Montgomery	Skelton
Johnson (SD)	Moorhead	Slatery
Johnson, Sam	Murphy	Smith (IA)
Johnston	Murtha	Smith (MI)
Kanjorski	Myers	Smith (NJ)
Kaptur	Natcher	Smith (OR)
Kasich	Neal (NC)	Smith (TX)
Kildee	Nussle	Snowe
Kim	Oberstar	Solomon
King	Orton	Spence
Kingston	Oxley	Spratt
Kleczka	Packard	Stearns
Klein	Pallone	Stenholm
Klink	Parker	Strickland
Klug	Paxon	Stump
Knollenberg	Payne (VA)	Sundquist
Kyl	Penny	Swett
LaFalce	Peterson (FL)	Talent
Lambert	Peterson (MN)	Tanner
Lancaster	Petri	Tauzin
Lantos	Pickett	Taylor (MS)
LaRocco	Pombo	Taylor (NC)
Laughlin	Porter	Tejeda
Lazio	Poshard	Thomas (CA)
Leach	Price (NC)	Thomas (WY)
Lehman	Quillen	Thornton
Levy	Quinn	Thurman
Lewis (CA)	Rahall	Torkildsen
Lewis (FL)	Ramstad	Torres
Lightfoot	Ravenel	Torricelli
Linder	Regula	Tucker
Lipinski	Ridge	Upton
Livingston	Roberts	Valentine
Lloyd	Roemer	Volkmer
Long	Rogers	Vucanovich
Machtley	Rohrabacher	Walker
Manzullo	Ros-Lehtinen	Walsh
McCandless	Rostenkowski	Weldon
McCollum	Roth	Whitten
McCrery	Roukema	Wise
McCurdy	Rowland	Wolf
McHugh	Royce	Wynn
McInnis	Santorum	Young (AK)
McKeon	Sarpaliss	Young (FL)
McMillan	Sawyer	Zelliff
McNulty	Saxton	Zimmer
Meyers	Schaefer	

NOES—139

Abercrombie	Flake	Meek
Ackerman	Foglietta	Menendez
Andrews (ME)	Frank (MA)	Mfume
Andrews (NJ)	Furse	Miller (CA)
Bacchus (FL)	Gejdenson	Minge
Barrett (WI)	Gephardt	Mink
Becerra	Gibbons	Moran
Beilenson	Gonzalez	Morella
Berman	Green	Nadler
Bishop	Gunderson	Neal (MA)
Blackwell	Hall (OH)	Obe
Bonior	Hamburg	Oliver
Borski	Harman	Ortiz
Brooks	Hilliard	Owens
Brown (CA)	Hinchey	Pastor
Brown (OH)	Hoagland	Payne (NJ)
Bryant	Inslee	Pelosi
Cantwell	Jefferson	Pickle
Cardin	Johnson, E.B.	Pomeroy
Clay	Kennedy	Pryce (OH)
Clayton	Kennelly	Rangel
Coleman	Kolbe	Reed
Collins (MI)	Kreidler	Reynolds
Coppersmith	Levin	Richardson
Costello	Lewis (GA)	Rose
Coyne	Lowey	Roybal-Allard
DeFazio	Maloney	Rush
DeLauro	Mann	Sabo
Dellums	Manton	Sanders
Dicks	Margolies	Sangmeister
Dixon	Mezvisinsky	Schenk
Durbin	Mark	Schiff
Edwards (CA)	Martinez	Schroeder
Engel	Matsui	Schumer
English (AZ)	Mazzoli	Scott
Eshoo	McCloskey	Serrano
Fazio	McDermott	Sharp
Fields (LA)	McHale	Skaggs
Filner	McKinney	Slaughter
	Meehan	Stark

Stokes
Studds
Stupak
Swift
Synar
Towns
Traficant

Unsoeld
Velazquez
Vento
Visclosky
Washington
Waters
Watt

Waxman
Wheat
Williams
Woolsey
Wyden
Yates

NOT VOTING—13

Boucher	Gutierrez	Mineta
Brewster	Hastings	Shepherd
Collins (IL)	Henry	Wilson
Conyers	Kopetski	
Ford (TN)	McDade	

□ 1353

Mrs. LOWEY, Mr. BEILENSON, Mr. DURBIN, Ms. PRYCE of Ohio, and Mr. RUSH changed their vote from "aye" to "no."

Mr. SPRATT changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. MURTHA). The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BLILEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 283, nays 131, not voting 16, as follows:

[Roll No. 69]

YEAS—283

Abercrombie	Carr	English (OK)
Ackerman	Castle	Eshoo
Andrews (ME)	Chapman	Evans
Andrews (NJ)	Clay	Fawell
Andrews (TX)	Clayton	Fazio
Applegate	Clement	Fields (LA)
Bacchus (FL)	Clyburn	Filner
Baesler	Coleman	Fingerhut
Barlow	Collins (MI)	Fish
Barrett (WI)	Condit	Flake
Becerra	Cooper	Foglietta
Beilenson	Coppersmith	Ford (MI)
Bentley	Coyne	Fowler
Berman	Cramer	Frank (MA)
Bevill	Danner	Franks (CT)
Bilbray	Darden	Franks (NJ)
Bishop	de la Garza	Frost
Blackwell	Deal	Furse
Blute	DeFazio	Gallo
Boehlert	DeLauro	Gejdenson
Bonilla	Dellums	Gekas
Bonior	Deutsch	Gephardt
Borski	Dicks	Geren
Brewster	Dingell	Gibbons
Brooks	Dixon	Gilchrest
Brown (CA)	Dooley	Gilman
Brown (FL)	Dunn	Glickman
Brown (OH)	Durbin	Gonzalez
Bryant	Edwards (CA)	Gordon
Byrne	Edwards (TX)	Green
Cantwell	Engel	Greenwood
Cardin	English (AZ)	Gunderson

Hall (OH)
Hall (TX)
Hamburg
Hamilton
Harman
Hefner
Hilliard
Hinchey
Hoagland
Hobson
Hochbrueckner
Holden
Horn
Houghton
Hoyer
Huffington
Hughes
Inslee
Jacobs
Jefferson
Johnson (CT)
Johnson (GA)
Johnson (SD)
Johnson, E.B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecicka
Klein
Klink
Klug
Kolbe
Kreidler
LaFalce
Lambert
Lancaster
Lantos
LaRocco
Laughlin
Lazio
Leach
Levin
Levy
Lewis (CA)
Lewis (FL)
Lewis (GA)
Lipinski
Lloyd
Long
Lowey
Machtley
Maloney
Mann
Manton
Margolies-
Mezvisinsky
Markey
Martinez
Matsui
Mazzoli

McCloskey
McCurdy
McDermott
McHale
McHugh
McInnis
McKinney
McMillan
McNulty
Meehan
Menendez
Meyers
Mfume
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Molinari
Montgomery
Moran
Morella
Murphy
Murtha
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Penny
Peterson (FL)
Pickett
Pickle
Pomeroy
Porter
Price (NC)
Pryce (OH)
Ramstad
Rangel
Ravenel
Reed
Reynolds
Richardson
Ridge
Rose
Rostenkowski
Roukema
Rowland
Roybal-Allard
Rush
Sabo
Sanders
Sangmeister

Sawyer
Saxton
Schenk
Schiff
Schroeder
Schumer
Scott
Serrano
Sharp
Shaw
Shays
Shepherd
Sisisky
Skaggs
Slattery
Slaughter
Smith (IA)
Smith (TX)
Snowe
Spence
Spratt
Stark
Stenholm
Stokes
Strickland
Studds
Stupak
Sweet
Swift
Synar
Tanner
Tejeda
Thomas (CA)
Thomas (WY)
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Velazquez
Vento
Visclosky
Washington
Waters
Watt
Waxman
Wheat
Whitten
Williams
Wise
Woolsey
Wynn
Yates
Young (FL)
Zelliff
Zimmer

NAYS—131

Allard
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bereuter
Bilirakis
Bliley
Boehner
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Clinger
Coble
Collins (GA)
Combest
Costello
Cox
Crane

Crapo
Cunningham
DeLay
Diaz-Balart
Dickey
Doolittle
Dornan
Dreier
Duncan
Emerson
Everett
Ewing
Fields (TX)
Gallegly
Gillmor
Gingrich
Goodlatte
Goodling
Goss
Grandy
Hancock
Hansen
Hastert
Hayes
Hefley
Herger
Hoekstra
Hoke
Hunter
Hutchinson

Hutto
Hyde
Inglis
DeLay
Inhofe
Istook
Johnson, Sam
Kasich
Kim
King
Kingston
Knollenberg
Kyl
Lightfoot
Linder
Livingston
Manzullo
McCandless
McCollum
McCrery
McKeon
Mica
Michel
Mollohan
Moorhead
Myers
Nussle
Orton
Oxley
Packard
Parker

Paxon
Peterson (MN)
Petri
Pombo
Poshard
Quillen
Quinn
Rahall
Regula
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen

Roth
Royce
Santorum
Sarpaluis
Schaefer
Sensenbrenner
Shuster
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (OR)
Solomon
Stearns

Stump
Sundquist
Talent
Tauzin
Taylor (MS)
Taylor (NC)
Volkmmer
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)

NOT VOTING—16

Boucher
Browder
Collins (IL)
Conyers
Derrick
Ford (TN)

Grams
Gutierrez
Hastings
Henry
Kopetski
Lehman

McDade
Mineta
Wilson
Wyden

□ 1411

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks, and to include extraneous matter, on H.R. 4, the bill just passed.

The SPEAKER pro tempore (Mr. MURTHA). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WAXMAN. Mr. Speaker, pursuant to House Resolution 119, I call up from the Speaker's table the Senate bill, S. 1, to amend the Public Health Service Act to revise and extend the program for the National Institutes of Health, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

MOTION OFFERED BY MR. WAXMAN

Mr. WAXMAN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WAXMAN moves to strike all after the enacting clause of the Senate bill, S. 1, and to insert in lieu thereof the provisions of H.R. 4, as passed, as follows:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "National Institutes of Health Revitalization Act of 1993".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—GENERAL PROVISIONS REGARDING TITLE IV OF PUBLIC HEALTH SERVICE ACT

Subtitle A—Research Freedom

PART I—REVIEW OF PROPOSALS FOR BIOMEDICAL AND BEHAVIORAL RESEARCH

Sec. 101. Establishment of certain provisions regarding research conducted or supported by National Institutes of Health.

PART II—RESEARCH ON TRANSPLANTATION OF FETAL TISSUE

Sec. 111. Establishment of authorities.

Sec. 112. Purchase of human fetal tissue; solicitation or acceptance of tissue as directed donation for use in transplantation.

Sec. 113. Nullification of moratorium.

Sec. 114. Report by General Accounting Office on adequacy of requirements.

PART III—MISCELLANEOUS REPEALS

Sec. 121. Repeals.

Subtitle B—Clinical Research Equity Regarding Women and Minorities

PART I—WOMEN AND MINORITIES AS SUBJECTS IN CLINICAL RESEARCH

Sec. 131. Requirement of inclusion in research.

Sec. 132. Peer review.

Sec. 133. Applicability to current projects.

PART II—OFFICE OF RESEARCH ON WOMEN'S HEALTH

Sec. 141. Establishment.

PART III—OFFICE OF RESEARCH ON MINORITY HEALTH

Sec. 151. Establishment.

Subtitle C—Research Integrity

Sec. 161. Establishment of Office of Research Integrity.

Sec. 162. Commission on Research Integrity.

Sec. 163. Protection of whistleblowers.

Sec. 164. Requirement of regulations regarding protection against financial conflicts of interest in certain projects of research.

Sec. 165. Effective dates.

TITLE II—NATIONAL INSTITUTES OF HEALTH IN GENERAL

Sec. 201. Health promotion research dissemination.

Sec. 202. Programs for increased support regarding certain States and researchers.

Sec. 203. Establishment of Office of Behavioral Research.

Sec. 204. Children's vaccine initiative.

Sec. 205. Plan for use of animals in research.

Sec. 206. Increased participation of women and disadvantaged individuals in fields of biomedical and behavioral research.

Sec. 207. Requirements regarding surveys of sexual behavior.

Sec. 208. Discretionary fund of Director of National Institutes of Health.

Sec. 209. Establishment of Office of Alternative Medicine.

Sec. 210. Miscellaneous provisions.

TITLE III—GENERAL PROVISIONS RESPECTING NATIONAL RESEARCH INSTITUTES

Sec. 301. Appointment and authority of Directors of national research institutes.

Sec. 302. Program of research on osteoporosis, Paget's disease, and related disorders.

Sec. 303. Establishment of interagency program for trauma research.

TITLE IV—NATIONAL CANCER INSTITUTE

Sec. 401. Expansion and intensification of activities regarding breast cancer.

Sec. 402. Expansion and intensification of activities regarding prostate cancer.

Sec. 403. Authorization of appropriations.

Sec. 404. Study of environmental and other risks contributing to incidence of breast cancer.

TITLE V—NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

Sec. 501. Education and training.

Sec. 502. Centers for the study of pediatric cardiovascular diseases.

Sec. 503. National Center on Sleep Disorders.

Sec. 504. Authorization of appropriations.

TITLE VI—NATIONAL INSTITUTE ON DIABETES AND DIGESTIVE AND KIDNEY DISEASES

Sec. 601. Provisions regarding nutritional disorders.

TITLE VII—NATIONAL INSTITUTE ON ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

Sec. 701. Juvenile arthritis.

TITLE VIII—NATIONAL INSTITUTE ON AGING

Sec. 801. Alzheimer's disease registry.

Sec. 802. Aging processes regarding women.

Sec. 803. Authorization of appropriations.

Sec. 804. Conforming amendment.

TITLE IX—NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

Sec. 901. Tropical diseases.

Sec. 902. Chronic fatigue syndrome.

TITLE X—NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Subtitle A—Research Centers With Respect to Contraception and Research Centers With Respect to Infertility

Sec. 1001. Grants and contracts for research centers.

Sec. 1002. Loan repayment program for research with respect to contraception and infertility.

Subtitle B—Program Regarding Obstetrics and Gynecology

Sec. 1011. Establishment of program.

Subtitle C—Child Health Research Centers

Sec. 1021. Establishment of centers.

Subtitle D—Study Regarding Adolescent Health

Sec. 1031. Prospective longitudinal study.

TITLE XI—NATIONAL EYE INSTITUTE

Sec. 1101. Clinical research on diabetes eye care.

TITLE XII—NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

Sec. 1201. Research on multiple sclerosis.

TITLE XIII—NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

Sec. 1301. Applied Toxicological Research and Testing Program.

TITLE XIV—NATIONAL LIBRARY OF MEDICINE

Subtitle A—General Provisions

Sec. 1401. Additional authorities.

Sec. 1402. Authorization of appropriations.

Subtitle B—Financial Assistance

Sec. 1411. Establishment of program of grants for development of education technologies.

Subtitle C—National Information Center on Health Services Research and Health Care Technology

Sec. 1421. Establishment of Center.

Sec. 1422. Conforming provisions.

TITLE XV—OTHER AGENCIES OF NATIONAL INSTITUTES OF HEALTH

Subtitle A—Division of Research Resources

Sec. 1501. Redesignation of Division as National Center for Research Resources.

Sec. 1502. Biomedical and behavioral research facilities.

Sec. 1503. Construction program for national primate research center.

Subtitle B—National Center for Nursing Research

Sec. 1511. Redesignation of National Center for Nursing Research as National Institute of Nursing Research.

Sec. 1512. Study on adequacy of number of nurses.

Subtitle C—National Center for Human Genome Research

Sec. 1521. Purpose of Center.

TITLE XVI—AWARDS AND TRAINING

Subtitle A—National Research Service Awards

Sec. 1601. Requirement regarding women and individuals from disadvantaged backgrounds.

Subtitle B—Acquired Immune Deficiency Syndrome

Sec. 1611. Loan repayment program.

Subtitle C—Loan Repayment for Research Generally

Sec. 1621. Establishment of program.

Subtitle D—Scholarship and Loan Repayment Programs Regarding Professional Skills Needed by National Institutes of Health

Sec. 1631. Establishment of programs.

Sec. 1632. Funding.

Subtitle E—Funding for Awards and Training Generally

Sec. 1641. Authorization of appropriations.

TITLE XVII—NATIONAL FOUNDATION FOR BIOMEDICAL RESEARCH

Sec. 1701. Date certain for appointment of Board members.

Sec. 1702. Miscellaneous provisions.

TITLE XVIII—RESEARCH WITH RESPECT TO ACQUIRED IMMUNE DEFICIENCY SYNDROME

Subtitle A—Office of AIDS Research

Sec. 1801. Establishment of Office.

Sec. 1802. Establishment of emergency discretionary fund.

Sec. 1803. General provisions.

Subtitle B—Certain Programs

Sec. 1811. Revision and extension of certain programs.

TITLE XIX—STUDIES

Sec. 1901. Acquired immune deficiency syndrome.

Sec. 1902. Malnutrition in the elderly.

Sec. 1903. Research activities on chronic fatigue syndrome.

Sec. 1904. Report on medical uses of biological agents in development of defenses against biological warfare.

Sec. 1905. Personnel study of recruitment, retention and turnover.

Sec. 1906. Procurement.

Sec. 1907. Chronic pain conditions.

Sec. 1908. Back injuries.

TITLE XX—MISCELLANEOUS PROVISIONS

Sec. 2001. Designation of Senior Biomedical Research Service in honor of Silvio O. Conte; limitation on number of members.

Sec. 2002. Master plan for physical infrastructure for research.

Sec. 2003. Certain authorization of appropriations.

Sec. 2004. Buy-American provisions.

Sec. 2005. Prohibition against further funding for Project Aries.

TITLE XXI—EFFECTIVE DATES

Sec. 2101. Effective dates.

TITLE I—GENERAL PROVISIONS REGARDING TITLE IV OF PUBLIC HEALTH SERVICE ACT

Subtitle A—Research Freedom

PART I—REVIEW OF PROPOSALS FOR BIOMEDICAL AND BEHAVIORAL RESEARCH

SEC. 101. ESTABLISHMENT OF CERTAIN PROVISIONS REGARDING RESEARCH CONDUCTED OR SUPPORTED BY NATIONAL INSTITUTES OF HEALTH.

Part G of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended by inserting after section 492 the following new section:

"CERTAIN PROVISIONS REGARDING REVIEW AND APPROVAL OF PROPOSALS FOR RESEARCH

"SEC. 492A. (a) REVIEW AS PRECONDITION TO RESEARCH.—

"(1) PROTECTION OF HUMAN RESEARCH SUBJECTS.—

"(A) In the case of any application submitted to the Secretary for financial assistance to con-

duct research, the Secretary may not approve or fund any application that is subject to review under section 491(a) by an Institutional Review Board unless the application has undergone review in accordance with such section and has been recommended for approval by a majority of the members of the Board conducting such review.

"(B) In the case of research that is subject to review under procedures established by the Secretary for the protection of human subjects in clinical research conducted by the National Institutes of Health, the Secretary may not authorize the conduct of the research unless the research has, pursuant to such procedures, been recommended for approval.

"(2) PEER REVIEW.—In the case of any application submitted to the Secretary for financial assistance to conduct research, the Secretary may not approve or fund any application that is subject to technical and scientific peer review under section 492(a) unless the application has undergone peer review in accordance with such section and has been recommended for approval by a majority of the members of the entity conducting such review.

"(b) ETHICAL REVIEW OF RESEARCH.—

"(1) PROCEDURES REGARDING WITHHOLDING OF FUNDS.—If research has been recommended for approval for purposes of subsection (a), the Secretary may not withhold funding for the research on ethical grounds unless—

"(A) the Secretary convenes an advisory board in accordance with paragraph (4) to study the ethical implications of the research; and

"(B)(i) the majority of the advisory board recommends that, on ethical grounds, the Secretary withhold funds for the research; or

"(ii) the majority of such board recommends that the Secretary not withhold funds for the research on ethical grounds, but the Secretary finds, on the basis of the report submitted under paragraph (4)(B)(ii), that the recommendation is arbitrary and capricious.

"(2) APPLICABILITY.—The limitation established in paragraph (1) regarding the authority to withhold funds on ethical grounds shall apply without regard to whether the withholding of funds on such grounds is characterized as a disapproval, a moratorium, a prohibition, or other description.

"(3) PRELIMINARY MATTERS REGARDING USE OF PROCEDURES.—

"(A) If the Secretary makes a determination that an advisory board should be convened for purposes of paragraph (1), the Secretary shall, through a statement published in the Federal Register, announce the intention of the Secretary to convene such a board.

"(B) A statement issued under subparagraph (A) shall include a request that interested individuals submit to the Secretary recommendations specifying the particular individuals who should be appointed to the advisory board involved. The Secretary shall consider such recommendations in making appointments to the board.

"(C) The Secretary may not make appointments to an advisory board under paragraph (1) until the expiration of the 30-day period beginning on the date on which the statement required in subparagraph (A) is made with respect to the board.

"(4) ETHICS ADVISORY BOARDS.—

"(A) Any advisory board convened for purposes of paragraph (1) shall be known as an ethics advisory board (hereafter in this paragraph referred to as an 'ethics board').

"(B)(i) An ethics board shall advise, consult with, and make recommendations to the Secretary regarding the ethics of the project of biomedical or behavioral research with respect to which the board has been convened.

"(ii) Not later than 180 days after the date on which the statement required in paragraph (3)(A) is made with respect to an ethics board, the board shall submit to the Secretary, and to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report describing the findings of the board regarding the project of research involved and making a recommendation under clause (i) of whether the Secretary should or should not withhold funds for the project. The report shall include the information considered in making the findings.

"(C) An ethics board shall be composed of no fewer than 14, and no more than 20, individuals who are not officers or employees of the United States. The Secretary shall make appointments to the board from among individuals with special qualifications and competence to provide advice and recommendations regarding ethical matters in biomedical and behavioral research. Of the members of the board—

"(i) no fewer than 1 shall be an attorney;
 "(ii) no fewer than 1 shall be an ethicist;
 "(iii) no fewer than 1 shall be a practicing physician;
 "(iv) no fewer than 1 shall be a theologian;
 and

"(v) no fewer than one-third, and no more than one-half, shall be scientists with substantial accomplishments in biomedical or behavioral research.

"(D) The term of service as a member of an ethics board shall be for the life of the board. If such a member does not serve the full term of such service, the individual appointed to fill the resulting vacancy shall be appointed for the remainder of the term of the predecessor of the individual.

"(E) A member of an ethics board shall be subject to removal from the board by the Secretary for neglect of duty or malfeasance or for other good cause shown.

"(F) The Secretary shall designate an individual from among the members of an ethics board to serve as the chair of the board.

"(G) In carrying out subparagraph (B)(i) with respect to a project of research, an ethics board shall conduct inquiries and hold public hearings.

"(H) In carrying out subparagraph (B)(i) with respect to a project of research, an ethics board shall have access to all relevant information possessed by the Department of Health and Human Services, or available to the Secretary from other agencies.

"(I) Members of an ethics board shall receive compensation for each day engaged in carrying out the duties of the board, including time engaged in traveling for purposes of such duties. Such compensation may not be provided in an amount in excess of the maximum rate of basic pay payable for GS-18 of the General Schedule.

"(J) The Secretary, acting through the Director of the National Institutes of Health, shall provide to each ethics board reasonable staff and assistance to carry out the duties of the board.

"(K) An ethics board shall terminate 30 days after the date on which the report required in subparagraph (B)(ii) is submitted to the Secretary and the congressional committees specified in such subparagraph."

PART II—RESEARCH ON TRANSPLANTATION OF FETAL TISSUE

SEC. 111. ESTABLISHMENT OF AUTHORITIES.

Part G of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended by inserting after section 498 the following new section:

"RESEARCH ON TRANSPLANTATION OF FETAL TISSUE

"SEC. 498A. (a) ESTABLISHMENT OF PROGRAM.—

"(1) IN GENERAL.—The Secretary may conduct or support research on the transplantation of human fetal tissue for therapeutic purposes.

"(2) SOURCE OF TISSUE.—Human fetal tissue may be used in research carried out under paragraph (1) regardless of whether the tissue is obtained pursuant to a spontaneous or induced abortion or pursuant to a stillbirth.

"(b) INFORMED CONSENT OF DONOR.—

"(1) IN GENERAL.—In research carried out under subsection (a), human fetal tissue may be used only if the woman providing the tissue makes a statement, made in writing and signed by the woman, declaring that—

"(A) the woman donates the fetal tissue for use in research described in subsection (a);

"(B) the donation is made without any restriction regarding the identity of individuals who may be the recipients of transplantations of the tissue; and

"(C) the woman has not been informed of the identity of any such individuals.

"(2) ADDITIONAL STATEMENT.—In research carried out under subsection (a), human fetal tissue may be used only if the attending physician with respect to obtaining the tissue from the woman involved makes a statement, made in writing and signed by the physician, declaring that—

"(A) in the case of tissue obtained pursuant to an induced abortion—

"(i) the consent of the woman for the abortion was obtained prior to requesting or obtaining consent for a donation of the tissue for use in such research;

"(ii) no alteration of the timing, method, or procedures used to terminate the pregnancy was made solely for the purposes of obtaining the tissue; and

"(iii) the abortion was performed in accordance with applicable State law;

"(B) the tissue has been donated by the woman in accordance with paragraph (1); and

"(C) full disclosure has been provided to the woman with regard to—

"(i) such physician's interest, if any, in the research to be conducted with the tissue; and

"(ii) any known medical risks to the woman or risks to her privacy that might be associated with the donation of the tissue and that are in addition to risks of such type that are associated with the woman's medical care.

"(c) INFORMED CONSENT OF RESEARCHER AND DONEE.—In research carried out under subsection (a), human fetal tissue may be used only if the individual with the principal responsibility for conducting the research involved makes a statement, made in writing and signed by the individual, declaring that the individual—

"(1) is aware that—

"(A) the tissue is human fetal tissue;

"(B) the tissue may have been obtained pursuant to a spontaneous or induced abortion or pursuant to a stillbirth; and

"(C) the tissue was donated for research purposes;

"(2) has provided such information to other individuals with responsibilities regarding the research;

"(3) will require, prior to obtaining the consent of an individual to be a recipient of a transplantation of the tissue, written acknowledgment of receipt of such information by such recipient; and

"(4) has had no part in any decisions as to the timing, method, or procedures used to terminate the pregnancy made solely for the purposes of the research.

"(d) AVAILABILITY OF STATEMENTS FOR AUDIT.—

"(1) IN GENERAL.—In research carried out under subsection (a), human fetal tissue may be used only if the head of the agency or other entity conducting the research involved certifies to

the Secretary that the statements required under subsections (b) (2) and (c) will be available for audit by the Secretary.

"(2) CONFIDENTIALITY OF AUDIT.—Any audit conducted by the Secretary pursuant to paragraph (1) shall be conducted in a confidential manner to protect the privacy rights of the individuals and entities involved in such research, including such individuals and entities involved in the donation, transfer, receipt, or transplantation of human fetal tissue. With respect to any material or information obtained pursuant to such audit, the Secretary shall—

"(A) use such material or information only for the purposes of verifying compliance with the requirements of this section;

"(B) not disclose or publish such material or information, except where required by Federal law, in which case such material or information shall be coded in a manner such that the identities of such individuals and entities are protected; and

"(C) not maintain such material or information after completion of such audit, except where necessary for the purposes of such audit.

"(e) APPLICABILITY OF STATE AND LOCAL LAW.—

"(1) RESEARCH CONDUCTED BY RECIPIENTS OF ASSISTANCE.—The Secretary may not provide support for research under subsection (a) unless the applicant for the financial assistance involved agrees to conduct the research in accordance with applicable State law.

"(2) RESEARCH CONDUCTED BY SECRETARY.—The Secretary may conduct research under subsection (a) only in accordance with applicable State and local law.

"(f) REPORT.—The Secretary shall annually submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the activities carried out under this section during the preceding fiscal year, including a description of whether and to what extent research under subsection (a) has been conducted in accordance with this section.

"(g) DEFINITION.—For purposes of this section, the term 'human fetal tissue' means tissue or cells obtained from a dead human embryo or fetus after a spontaneous or induced abortion, or after a stillbirth."

SEC. 112. PURCHASE OF HUMAN FETAL TISSUE; SOLICITATION OR ACCEPTANCE OF TISSUE AS DIRECTED DONATION FOR USE IN TRANSPLANTATION.

Part G of title IV of the Public Health Service Act, as amended by section 111 of this Act, is amended by inserting after section 498A the following new section:

"PROHIBITIONS REGARDING HUMAN FETAL TISSUE

"SEC. 498B. (a) PURCHASE OF TISSUE.—It shall be unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce.

"(b) SOLICITATION OR ACCEPTANCE OF TISSUE AS DIRECTED DONATION FOR USE IN TRANSPLANTATION.—It shall be unlawful for any person to solicit or knowingly acquire, receive, or accept a donation of human fetal tissue for the purpose of transplantation of such tissue into another person if the donation affects interstate commerce, the tissue will be or is obtained pursuant to an induced abortion, and—

"(1) the donation will be or is made pursuant to a promise to the donating individual that the donated tissue will be transplanted into a recipient specified by such individual;

"(2) the donated tissue will be transplanted into a relative of the donating individual; or

"(3) the person who solicits or knowingly acquires, receives, or accepts the donation has provided valuable consideration for the costs associated with such abortion.

"(c) CRIMINAL PENALTIES FOR VIOLATIONS.—
 "(1) IN GENERAL.—Any person who violates subsection (a) or (b) shall be fined in accordance with title 18, United States Code, subject to paragraph (2), or imprisoned for not more than 10 years, or both.

"(2) PENALTIES APPLICABLE TO PERSONS RECEIVING CONSIDERATION.—With respect to the imposition of a fine under paragraph (1), if the person involved violates subsection (a) or (b)(3), a fine shall be imposed in an amount not less than twice the amount of the valuable consideration received.

"(d) DEFINITIONS.—For purposes of this section:

"(1) The term 'human fetal tissue' has the meaning given such term in section 498A(f).

"(2) The term 'interstate commerce' has the meaning given such term in section 201(b) of the Federal Food, Drug, and Cosmetic Act.

"(3) The term 'valuable consideration' does not include reasonable payments associated with the transportation, implantation, processing, preservation, quality control, or storage of human fetal tissue."

SEC. 113. NULLIFICATION OF MORATORIUM.

(a) IN GENERAL.—Except as provided in subsection (c), no official of the executive branch may impose a policy that the Department of Health and Human Services is prohibited from conducting or supporting any research on the transplantation of human fetal tissue for therapeutic purposes. Such research shall be carried out in accordance with section 498A of the Public Health Service Act (as added by section 111 of this Act), without regard to any such policy that may have been in effect prior to the date of the enactment of this Act.

(b) PROHIBITION AGAINST WITHHOLDING OF FUNDS IN CASES OF TECHNICAL AND SCIENTIFIC MERIT.—

(1) IN GENERAL.—In the case of any proposal for research on the transplantation of human fetal tissue for therapeutic purposes, the Secretary of Health and Human Services may not withhold funds for the research if—

(A) the research has been approved for purposes of section 492A(a) of the Public Health Service Act (as added by section 101 of this Act);

(B) the research will be carried out in accordance with section 498A of such Act (as added by section 111 of this Act); and

(C) there are reasonable assurances that the research will not utilize any human fetal tissue that has been obtained in violation of section 498B(a) of such Act (as added by section 112 of this Act).

(2) STANDING APPROVAL REGARDING ETHICAL STATUS.—In the case of any proposal for research on the transplantation of human fetal tissue for therapeutic purposes, the issuance in December 1986 of the Report of the Human Fetal Tissue Transplantation Research Panel shall be deemed to be a report—

(A) issued by an ethics advisory board pursuant to section 492A(b)(4)(B)(ii) of the Public Health Service Act (as added by section 101 of this Act); and

(B) finding, on a basis that is neither arbitrary nor capricious, that there are no ethical grounds for withholding funds for the research.

(c) AUTHORITY FOR WITHHOLDING FUNDS FROM RESEARCH.—In the case of any research on the transplantation of human fetal tissue for therapeutic purposes, the Secretary of Health and Human Services may withhold funds for the research if any of the conditions specified in any of subparagraphs (A) through (C) of subsection (b)(1) are not met with respect to the research.

(d) DEFINITION.—For purposes of this section, the term "human fetal tissue" has the meaning given such term in section 498A(f) of the Public Health Service Act (as added by section 111 of this Act).

SEC. 114. REPORT BY GENERAL ACCOUNTING OFFICE ON ADEQUACY OF REQUIREMENTS.

(a) IN GENERAL.—With respect to research on the transplantation of human fetal tissue for therapeutic purposes, the Comptroller General of the United States shall conduct an audit for the purpose of determining—

(1) whether and to what extent such research conducted or supported by the Secretary of Health and Human Services has been conducted in accordance with section 498A of the Public Health Service Act (as added by section 111 of this Act); and

(2) whether and to what extent there have been violations of section 498B of such Act (as added by section 112 of this Act).

(b) REPORT.—Not later than May 19, 1995, the Comptroller General of the United States shall complete the audit required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made pursuant to the audit.

PART III—MISCELLANEOUS REPEALS

SEC. 121. REPEALS.

(a) CERTAIN BIOMEDICAL ETHICS BOARD.—Title 111 of the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by striking part J.

(b) OTHER REPEALS.—Part G of title IV of the Public Health Service Act (42 U.S.C. 289 et seq.) is amended—

(1) in section 498, by striking subsection (c); and

(2) by striking section 499; and

(3) by redesignating section 499A as section 499.

(c) NULLIFICATION OF CERTAIN PROVISIONS.—The provisions of Executive Order 12806 (57 Fed. Reg. 21589 (May 21, 1992)) shall not have any legal effect. The provisions of section 204(d) of part 46 of title 45 of the Code of Federal Regulations (45 CFR 46.204(d)) shall not have any legal effect.

Subtitle B—Clinical Research Equity Regarding Women and Minorities

PART I—WOMEN AND MINORITIES AS SUBJECTS IN CLINICAL RESEARCH

SEC. 131. REQUIREMENT OF INCLUSION IN RESEARCH.

Part G of title IV of the Public Health Service Act, as amended by section 101 of this Act, is amended by inserting after section 492A the following new section:

"INCLUSION OF WOMEN AND MINORITIES IN CLINICAL RESEARCH

"SEC. 492B. (a) REQUIREMENT OF INCLUSION.—

"(1) IN GENERAL.—In conducting or supporting clinical research for purposes of this title, the Director of NIH shall, subject to subsection (b), ensure that—

"(A) women are included as subjects in each project of such research; and

"(B) members of minority groups are included as subjects in such research.

"(2) OUTREACH REGARDING PARTICIPATION AS SUBJECTS.—The Director of NIH, in consultation with the Director of the Office of Research on Women's Health and the Director of the Office of Research on Minority Health, shall conduct or support outreach programs for the recruitment of women and members of minority groups as subjects in projects of clinical research.

"(b) INAPPLICABILITY OF REQUIREMENT.—The requirement established in subsection (a) regarding women and members of minority groups shall not apply to a project of clinical research if the inclusion, as subjects in the project, of women and members of minority groups, respectively—

"(1) is inappropriate with respect to the health of the subjects;

"(2) is inappropriate with respect to the purpose of the research; or

"(3) is inappropriate under such other circumstances as the Director of NIH may designate.

"(c) DESIGN OF CLINICAL TRIALS.—In the case of any clinical trial in which women or members of minority groups will under subsection (a) be included as subjects, the Director of NIH shall ensure that the trial is designed and carried out in a manner sufficient to provide for a valid analysis of whether the variables being studied in the trial affect women or members of minority groups, as the case may be, differently than other subjects in the trial.

"(d) GUIDELINES.—

"(1) IN GENERAL.—Subject to paragraph (2), the Director of NIH, in consultation with the Director of the Office of Research on Women's Health and the Director of the Office of Research on Minority Health, shall establish guidelines regarding the requirements of this section. The guidelines shall include guidelines regarding—

"(A) the circumstances under which the inclusion of women and minorities as subjects in projects of clinical research is inappropriate for purposes of subsection (b);

"(B) the manner in which clinical trials are required to be designed and carried out for purposes of subsection (c); and

"(C) the operation of outreach programs under subsection (a).

"(2) CERTAIN PROVISIONS.—With respect to the circumstances under which the inclusion of women or members of minority groups (as the case may be) as subjects in a project of clinical research is inappropriate for purposes of subsection (b), the following applies to guidelines under paragraph (1):

"(A)(i) In the case of a clinical trial, the guidelines shall provide that the costs of such inclusion in the trial is not a permissible consideration in determining whether such inclusion is inappropriate.

"(ii) In the case of other projects of clinical research, the guidelines shall provide that the costs of such inclusion in the project is not a permissible consideration in determining whether such inclusion is inappropriate unless the data regarding women or members of minority groups, respectively, that would be obtained in such project (in the event that such inclusion were required) have been or will be obtained through other means that provide data of comparable quality.

"(B) In the case of a clinical trial, the guidelines may provide that such inclusion in the trial is not required if there is substantial scientific data demonstrating that there is no significant difference between—

"(i) the effects that the variables to be studied in the trial have on women or members of minority groups, respectively; and

"(ii) the effects that the variables have on the individuals who would serve as subjects in the trial in the event that such inclusion were not required.

"(e) DATE CERTAIN FOR GUIDELINES; APPLICABILITY.—

"(1) DATE CERTAIN.—The guidelines required in subsection (d) shall be established and published in the Federal Register not later than 180 days after the date of the enactment of the National Institutes of Health Revitalization Act of 1993.

"(2) APPLICABILITY.—For fiscal year 1995 and subsequent fiscal years, the Director of NIH may not approve any proposal of clinical research to be conducted or supported by any agency of the National Institutes of Health unless the proposal specifies the manner in which the research will comply with this section.

"(f) REPORTS BY ADVISORY COUNCILS.—The advisory council of each national research insti-

tute shall annually submit to the Director of NIH and the Director of the institute involved a report describing the manner in which the agency has complied with this section.

"(g) DEFINITIONS.—For purposes of this section:

"(1) The term 'project of clinical research' includes a clinical trial.

"(2) The term 'minority group' includes subpopulations of minority groups. The Director of NIH shall, through the guidelines established under subsection (d), define the terms 'minority group' and 'subpopulation' for purposes of the preceding sentence."

SEC. 132. PEER REVIEW.

Section 492 of the Public Health Service Act (42 U.S.C. 289a) is amended by adding at the end the following new subsection:

"(c)(1) In technical and scientific peer review under this section of proposals for clinical research, the consideration of any such proposal (including the initial consideration) shall, except as provided in paragraph (2), include an evaluation of the technical and scientific merit of the proposal regarding compliance with section 492B.

"(2) Paragraph (1) shall not apply to any proposal for clinical research that, pursuant to subsection (b) of section 492B, is not subject to the requirement of subsection (a) of such section regarding the inclusion of women and members of minority groups as subjects in clinical research."

SEC. 133. APPLICABILITY TO CURRENT PROJECTS.

Section 492B of the Public Health Service Act, as added by section 131 of this Act, shall not apply with respect to projects of clinical research for which initial funding was provided prior to the date of the enactment of this Act. With respect to the inclusion of women and minorities as subjects in clinical research conducted or supported by the National Institutes of Health, any policies of the Secretary of Health and Human Services regarding such inclusion that are in effect on the day before the date of the enactment of this Act shall continue to apply to the projects referred to in the preceding sentence.

PART II—OFFICE OF RESEARCH ON WOMEN'S HEALTH

SEC. 141. ESTABLISHMENT.

(a) IN GENERAL.—Title IV of the Public Health Service Act, as amended by the preceding provisions of this title, is amended—

(1) by redesignating section 486 as section 485A;

(2) by redesignating parts F through H as parts G through I, respectively; and

(3) by inserting after part E the following new part:

"PART F—RESEARCH ON WOMEN'S HEALTH

"SEC. 486. OFFICE OF RESEARCH ON WOMEN'S HEALTH.

"(a) ESTABLISHMENT.—There is established within the Office of the Director of NIH an office to be known as the Office of Research on Women's Health (in this part referred to as the 'Office'). The Office shall be headed by a director, who shall be appointed by the Director of NIH.

"(b) PURPOSE.—The Director of the Office shall—

"(1) identify projects of research on women's health that should be conducted or supported by the national research institutes;

"(2) identify multidisciplinary research relating to research on women's health that should be so conducted or supported;

"(3) carry out paragraphs (1) and (2) with respect to the aging process in women, with priority given to menopause;

"(4) promote coordination and collaboration among entities conducting research identified under any of paragraphs (1) through (3);

"(5) encourage the conduct of such research by entities receiving funds from the national research institutes;

"(6) recommend an agenda for conducting and supporting such research;

"(7) promote the sufficient allocation of the resources of the national research institutes for conducting and supporting such research;

"(8) assist in the administration of section 492B with respect to the inclusion of women as subjects in clinical research; and

"(9) prepare the report required in section 486B.

"(c) COORDINATING COMMITTEE.—

"(1) In carrying out subsection (b), the Director of the Office shall establish a committee to be known as the Coordinating Committee on Research on Women's Health (hereafter in this subsection referred to as the 'Coordinating Committee').

"(2) The Coordinating Committee shall be composed of the Directors of the national research institutes (or the designees of the Directors).

"(3) The Director of the Office shall serve as the chair of the Coordinating Committee.

"(4) With respect to research on women's health, the Coordinating Committee shall assist the Director of the Office in—

"(A) identifying the need for such research, and making an estimate each fiscal year of the funds needed to adequately support the research;

"(B) identifying needs regarding the coordination of research activities, including intramural and extramural multidisciplinary activities;

"(C) supporting the development of methodologies to determine the circumstances in which obtaining data specific to women (including data relating to the age of women and the membership of women in ethnic or racial groups) is an appropriate function of clinical trials of treatments and therapies;

"(D) supporting the development and expansion of clinical trials of treatments and therapies for which obtaining such data has been determined to be an appropriate function; and

"(E) encouraging the national research institutes to conduct and support such research, including such clinical trials.

"(d) ADVISORY COMMITTEE.—

"(1) In carrying out subsection (b), the Director of the Office shall establish an advisory committee to be known as the Advisory Committee on Research on Women's Health (hereafter in this subsection referred to as the 'Advisory Committee').

"(2) The Advisory Committee shall be composed of no fewer than 12, and not more than 18 individuals, who are not officers or employees of the Federal Government. The Director of the Office shall make appointments to the Advisory Committee from among physicians, practitioners, scientists, and other health professionals, whose clinical practice, research specialization, or professional expertise includes a significant focus on research on women's health. A majority of the members of the Advisory Committee shall be women.

"(3) The Director of the Office shall serve as the chair of the Advisory Committee.

"(4) The Advisory Committee shall—

"(A) advise the Director of the Office on appropriate research activities to be undertaken by the national research institutes with respect to—

"(i) research on women's health;

"(ii) research on gender differences in clinical drug trials, including responses to pharmacological drugs;

"(iii) research on gender differences in disease etiology, course, and treatment;

"(iv) research on obstetrical and gynecological health conditions, diseases, and treatments; and

"(v) research on women's health conditions which require a multidisciplinary approach;

"(B) report to the Director of the Office on such research;

"(C) provide recommendations to such Director regarding activities of the Office (including recommendations on the development of the methodologies described in subsection (c)(4)(C) and recommendations on priorities in carrying out research described in subparagraph (A)); and

"(D) assist in monitoring compliance with section 492B regarding the inclusion of women in clinical research.

"(5)(A) The Advisory Committee shall prepare a biennial report describing the activities of the Committee, including findings made by the Committee regarding—

"(i) compliance with section 492B;

"(ii) the extent of expenditures made for research on women's health by the agencies of the National Institutes of Health; and

"(iii) the level of funding needed for such research.

"(B) The report required in subparagraph (A) shall be submitted to the Director of NIH for inclusion in the report required in section 403.

"(e) REPRESENTATION OF WOMEN AMONG RESEARCHERS.—The Secretary, acting through the Assistant Secretary for Personnel and in collaboration with the Director of the Office, shall determine the extent to which women are represented among senior physicians and scientists of the national research institutes and among physicians and scientists conducting research with funds provided by such institutes, and as appropriate, carry out activities to increase the extent of such representation.

"(f) DEFINITIONS.—For purposes of this part:

"(1) The term 'women's health conditions', with respect to women of all age, ethnic, and racial groups, means all diseases, disorders, and conditions (including with respect to mental health)—

"(A) unique to, more serious, or more prevalent in women;

"(B) for which the factors of medical risk or types of medical intervention are different for women, or for which it is unknown whether such factors or types are different for women; or

"(C) with respect to which there has been insufficient clinical research involving women as subjects or insufficient clinical data on women.

"(2) The term 'research on women's health' means research on women's health conditions, including research on preventing such conditions.

"SEC. 486A. NATIONAL DATA SYSTEM AND CLEARINGHOUSE ON RESEARCH ON WOMEN'S HEALTH.

"(a) DATA SYSTEM.—

"(1) The Director of NIH, in consultation with the Director of the Office and the Director of the National Library of Medicine, shall establish a data system for the collection, storage, analysis, retrieval, and dissemination of information regarding research on women's health that is conducted or supported by the national research institutes. Information from the data system shall be available through information systems available to health care professionals and providers, researchers, and members of the public.

"(2) The data system established under paragraph (1) shall include a registry of clinical trials of experimental treatments that have been developed for research on women's health. Such registry shall include information on subject eligibility criteria, sex, age, ethnicity or race, and the location of the trial site or sites. Principal investigators of such clinical trials shall provide this information to the registry within 30 days after it is available. Once a trial has been completed, the principal investigator shall provide

the registry with information pertaining to the results, including potential toxicities or adverse effects associated with the experimental treatment or treatments evaluated.

"(b) **CLEARINGHOUSE.**—The Director of NIH, in consultation with the Director of the Office and with the National Library of Medicine, shall establish, maintain, and operate a program to provide information on research and prevention activities of the national research institutes that relate to research on women's health.

"SEC. 486B. BIENNIAL REPORT.

"(a) **IN GENERAL.**—With respect to research on women's health, the Director of the Office shall, not later than February 1, 1994, and biennially thereafter, prepare a report—

"(1) describing and evaluating the progress made during the preceding 2 fiscal years in research and treatment conducted or supported by the National Institutes of Health;

"(2) describing and analyzing the professional status of women physicians and scientists of such Institutes, including the identification of problems and barriers regarding advancements;

"(3) summarizing and analyzing expenditures made by the agencies of such Institutes (and by such Office) during the preceding 2 fiscal years; and

"(4) making such recommendations for legislative and administrative initiatives as the Director of the Office determines to be appropriate.

"(b) **INCLUSION IN BIENNIAL REPORT OF DIRECTOR OF NIH.**—The Director of the Office shall submit each report prepared under subsection (a) to the Director of NIH for inclusion in the report submitted to the President and the Congress under section 403."

"(b) **REQUIREMENT OF SUFFICIENT ALLOCATION OF RESOURCES OF INSTITUTES.**—Section 402(b) of the Public Health Service Act (42 U.S.C. 282(b)) is amended—

(1) in paragraph (10), by striking "and" after the semicolon at the end;

(2) in paragraph (11), by striking the period at the end and inserting "; and"; and

(3) by inserting after paragraph (11) the following new paragraph:

"(12) after consultation with the Director of the Office of Research on Women's Health, shall ensure that resources of the National Institutes of Health are sufficiently allocated for projects of research on women's health that are identified under section 486(b)."

PART III—OFFICE OF RESEARCH ON MINORITY HEALTH

SEC. 151. ESTABLISHMENT.

Part A of title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended by adding at the end the following section:

"OFFICE OF RESEARCH ON MINORITY HEALTH

"SEC. 404. (a) **ESTABLISHMENT.**—There is established within the Office of the Director of NIH an office to be known as the Office of Research on Minority Health (in this section referred to as the 'Office'). The Office shall be headed by a director, who shall be appointed by the Director of NIH.

"(b) **PURPOSE.**—The Director of the Office shall—

"(1) identify projects of research on minority health that should be conducted or supported by the national research institutes;

"(2) identify multidisciplinary research relating to research on minority health that should be so conducted or supported;

"(3) promote coordination and collaboration among entities conducting research identified under paragraph (1) or (2);

"(4) encourage the conduct of such research by entities receiving funds from the national research institutes;

"(5) recommend an agenda for conducting and supporting such research;

"(6) promote the sufficient allocation of the resources of the national research institutes for conducting and supporting such research; and

"(7) assist in the administration of section 492B with respect to the inclusion of members of minority groups as subjects in clinical research."

Subtitle C—Research Integrity

SEC. 161. ESTABLISHMENT OF OFFICE OF RESEARCH INTEGRITY.

(a) **IN GENERAL.**—Section 493 of the Public Health Service Act (42 U.S.C. 289b) is amended to read as follows:

"OFFICE OF RESEARCH INTEGRITY

"SEC. 493. (a) **ESTABLISHMENT.**—

"(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this section, the Secretary shall establish an office to be known as the Office of Research Integrity (hereafter referred to in this section as the 'Office'), which shall be established as an independent entity in the Department of Health and Human Services.

"(2) **DIRECTOR.**—The Office shall be headed by a Director, who shall be appointed by the Secretary, be experienced and specially trained in the conduct of research, and have experience in the conduct of investigations of research misconduct. The Secretary shall carry out this section acting through the Director of the Office. The Director shall report to the Secretary.

"(b) **EXISTENCE OF ADMINISTRATIVE PROCESSES AS CONDITION OF FUNDING FOR RESEARCH.**—The Secretary shall by regulation require that each entity that applies for a grant, contract, or cooperative agreement under this Act for any project or program that involves the conduct of biomedical or behavioral research submit in or with its application for such grant, contract, or cooperative agreement assurances satisfactory to the Secretary that such entity—

"(1) has established (in accordance with regulations which the Secretary shall prescribe) an administrative process to review reports of research misconduct in connection with biomedical and behavioral research conducted at or sponsored by such entity; and

"(2) will report to the Director any investigation of alleged research misconduct in connection with projects for which funds have been made available under this Act that appears substantial.

"(c) **PROCESS FOR RESPONSE OF DIRECTOR.**—The Secretary shall establish by regulation a process to be followed by the Director for the prompt and appropriate—

"(1) response to information provided to the Director respecting research misconduct in connection with projects for which funds have been made available under this Act;

"(2) receipt of reports by the Director of such information from recipients of funds under this Act;

"(3) conduct of investigations, when appropriate; and

"(4) taking of other actions, including appropriate remedies, with respect to such misconduct.

"(d) **MONITORING BY DIRECTOR.**—The Secretary shall by regulation establish procedures for the Director to monitor administrative processes and investigations that have been established or carried out under this section.

"(e) **EFFECT ON PRESENT INVESTIGATIONS.**—Nothing in this section shall affect investigations which have been or will be commenced prior to the promulgation of final regulations under this section."

(b) **ESTABLISHMENT OF DEFINITION OF RESEARCH MISCONDUCT.**—Not later than 90 days after the date on which the report required under section 162(d) is submitted to the Secretary of Health and Human Services, such Secretary shall by regulation establish a definition for the term "research misconduct" for purposes

of section 493 of the Public Health Service Act, as amended by subsection (a) of this section.

SEC. 162. COMMISSION ON RESEARCH INTEGRITY.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall establish a commission to be known as the Commission on Research Integrity (in this section referred to as the "Commission").

(b) **DUTIES.**—The Commission shall develop recommendations for the Secretary of Health and Human Services on the administration of section 493 of the Public Health Service Act (as amended and added by section 161 of this Act).

(c) **COMPOSITION.**—The Commission shall be composed of 12 members to be appointed by the Secretary of Health and Human Services. Not more than 3 members of the Commission may be officers or employees of the United States. Of the members of the Commission—

(1) three shall be scientists with substantial accomplishments in biomedical or behavioral research;

(2) three shall be individuals with experience in investigating allegations of misconduct with respect to research research;

(3) three shall be representatives of institutions of higher education at which biomedical or behavioral research is conducted; and

(4) three shall be individuals who are not described in paragraphs (1), (2), or (3), at least one of whom shall be an attorney and at least one of whom shall be an ethicist.

(d) **COMPENSATION.**—Members of the Commission may not receive compensation for service on the Commission. Members may be reimbursed for travel, subsistence, and other necessary expenses incurred in carrying out the duties of the Commission.

(e) **REPORT.**—Not later than 120 days after the date on which the Commission is established under subsection (a), the Commission shall prepare and submit to the Secretary of Health and Human Services, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report containing the recommendations developed under subsection (b).

SEC. 163. PROTECTION OF WHISTLEBLOWERS.

Section 493 of the Public Health Service Act, as amended by section 161 of this Act, is amended by adding at the end the following new subsection:

"(f) PROTECTION OF WHISTLEBLOWERS.—

"(1) **IN GENERAL.**—In the case of any entity required to establish administrative processes under subsection (b), the Secretary shall by regulation establish standards for preventing, and for responding to the occurrence of retaliation by such entity, its officials or agents, against an employee in the terms and conditions of employment in response to the employee having in good faith—

"(A) made an allegation that the entity, its officials or agents, has engaged in or failed to adequately respond to an allegation of research misconduct; or

"(B) cooperated with an investigation of such an allegation.

"(2) **MONITORING BY SECRETARY.**—The Secretary shall establish by regulation procedures for the Director to monitor the implementation of the standards established by an entity under paragraph (1) for the purpose of determining whether the procedures have been established, and are being utilized, in accordance with the standards established under such paragraph.

"(3) **NONCOMPLIANCE.**—The Secretary shall by regulation establish remedies for noncompliance by an entity, its officials or agents, which has engaged in retaliation in violation of the standards established under paragraph (1). Such remedies may include termination of funding provided by the Secretary for such project or recov-

ery of funding being provided by the Secretary for such project, or other actions as appropriate.

"(4) **FINAL RULE FOR REGULATIONS.**—The Secretary shall issue a final rule for the regulations required in paragraph (1) not later than 180 days after the date of the enactment of the National Institutes of Health Revitalization Act of 1993.

"(5) **REQUIRED AGREEMENTS.**—For any fiscal year beginning after the date on which the regulations required in paragraph (1) are issued, the Secretary may not provide a grant, cooperative agreement, or contract under this Act for biomedical or behavioral research unless the entity seeking such financial assistance agrees that the entity—

"(A) will maintain the procedures described in the regulations; and

"(B) will otherwise be subject to the regulations."

SEC. 164. REQUIREMENT OF REGULATIONS REGARDING PROTECTION AGAINST FINANCIAL CONFLICTS OF INTEREST IN CERTAIN PROJECTS OF RESEARCH.

Part H of title IV of the Public Health Service Act, as redesignated by section 141(a)(2) of this Act, is amended by inserting after section 493 the following new section:

"PROTECTION AGAINST FINANCIAL CONFLICTS OF INTEREST IN CERTAIN PROJECTS OF RESEARCH

"SEC. 493A. (a) ISSUANCE OF REGULATIONS.

"(1) **IN GENERAL.**—The Secretary shall define by regulation, the specific circumstances that constitute the existence of a financial interest in a project on the part of an entity or individual that will, or may be reasonably expected to, create a bias in favor of obtaining results in such project that are consistent with such financial interest. Such definition shall apply uniformly to each entity or individual conducting a research project under this Act. In the case of any entity or individual receiving assistance from the Secretary for a project of research described in paragraph (2), the Secretary shall by regulation establish standards for responding to, including managing, reducing, or eliminating, the existence of such a financial interest. The entity may adopt individualized procedures for implementing the standards.

"(2) **RELEVANT PROJECTS.**—A project of research referred to in paragraph (1) is a project of clinical research whose purpose is to evaluate the safety or effectiveness of a drug, medical device, or treatment and for which such entity is receiving assistance from the Secretary.

"(3) **IDENTIFYING AND REPORTING TO THE DIRECTOR.**—The Secretary shall ensure that the standards established under paragraph (1) specify that as a condition of receiving assistance from the Secretary for the project involved, an entity described in such subsection is required—

"(A) to have in effect at the time the entity applies for the assistance and throughout the period during which the assistance is received, a process for identifying such financial interests as defined in paragraph (1) that exist regarding the project; and

"(B) to report to the Director such financial interest as defined in paragraph (1) identified by the entity and how any such financial interest identified by the entity will be managed or eliminated such that the project in question will be protected from bias that may stem from such financial interest.

"(4) **MONITORING OF PROCESS.**—The Secretary shall monitor the establishment and conduct of the process established by an entity pursuant to paragraph (1).

"(5) **RESPONSE.**—In any case in which the Secretary determines that an entity has failed to comply with paragraph (3) regarding a project of research described in paragraph (1), the Secretary—

"(A) shall require that, as a condition of receiving assistance, the entity disclose the existence of a financial interest as defined in paragraph (1) in each public presentation of the results of such project; and

"(B) may take such other actions as the Secretary determines to be appropriate.

"(6) **DEFINITION.**—As used in this section:

"(A) The term 'financial interest' includes the receipt of consulting fees or honoraria and the ownership of stock or equity.

"(B) The term 'assistance', with respect to conducting a project of research, means a grant, contract, or cooperative agreement.

"(b) **FINAL RULE FOR REGULATIONS.**—The Secretary shall issue a final rule for the regulations required in subsection (a) not later than 180 days after the date of the enactment of the National Institutes of Health Revitalization Act of 1993."

SEC. 165. EFFECTIVE DATES.

(a) **IN GENERAL.**—The amendments made by this subtitle shall become effective on the date that occurs 180 days after the date on which the final rule required under section 493(f)(4) of the Public Health Service Act, as amended by sections 161 and 163, is published in the Federal Register.

(b) **AGREEMENTS AS A CONDITION OF FUNDING.**—The requirements of subsection (f)(5) of section 493 of the Public Health Service Act, as amended by sections 161 and 163, with respect to agreements as a condition of funding shall not be effective in the case of projects of research for which initial funding under the Public Health Service Act was provided prior to the effective date described in subsection (a).

TITLE II—NATIONAL INSTITUTES OF HEALTH IN GENERAL

SEC. 201. HEALTH PROMOTION RESEARCH DISSEMINATION.

Section 402(f) of the Public Health Service Act (42 U.S.C. 282(f)) is amended by striking "other public and private entities." and all that follows through the end and inserting "other public and private entities, including elementary, secondary, and post-secondary schools. The Associate Director shall—

"(1) annually review the efficacy of existing policies and techniques used by the national research institutes to disseminate the results of disease prevention and behavioral research programs;

"(2) recommend, coordinate, and oversee the modification or reconstruction of such policies and techniques to ensure maximum dissemination, using advanced technologies to the maximum extent practicable, of research results to such entities; and

"(3) annually prepare and submit to the Director of NIH a report concerning the prevention and dissemination activities undertaken by the Associate Director, including—

"(A) a summary of the Associate Director's review of existing dissemination policies and techniques together with a detailed statement concerning any modification or restructuring, or recommendations for modification or restructuring, of such policies and techniques; and

"(B) a detailed statement of the expenditures made for the prevention and dissemination activities reported on and the personnel used in connection with such activities."

SEC. 202. PROGRAMS FOR INCREASED SUPPORT REGARDING CERTAIN STATES AND RESEARCHERS.

Section 402 of the Public Health Service Act (42 U.S.C. 282) is amended by adding at the end the following new subsection:

"(g)(1)(A) In the case of entities described in subparagraph (B), the Director of NIH, acting through the Director of the National Center for Research Resources, shall establish a program to enhance the competitiveness of such entities in

obtaining funds from the national research institutes for conducting biomedical and behavioral research.

"(B) The entities referred to in subparagraph (A) are entities that conduct biomedical and behavioral research and are located in a State in which the aggregate success rate for applications to the national research institutes for assistance for such research by the entities in the State has historically constituted a low success rate of obtaining such funds, relative to such aggregate rate for such entities in other States.

"(C) With respect to enhancing competitiveness for purposes of subparagraph (A), the Director of NIH, in carrying out the program established under such subparagraph, may—

"(i) provide technical assistance to the entities involved, including technical assistance in the preparation of applications for obtaining funds from the national research institutes;

"(ii) assist the entities in developing a plan for biomedical or behavioral research proposals; and

"(iii) assist the entities in implementing such plan.

"(2) The Director of NIH shall establish a program of supporting projects of biomedical or behavioral research whose principal researchers are individuals who have not previously served as the principal researchers of such projects supported by the Director."

SEC. 203. ESTABLISHMENT OF OFFICE OF BEHAVIORAL RESEARCH.

Part A of title IV of the Public Health Service Act, as amended by section 151 of this Act, is amended by adding at the end the following new section:

"OFFICE OF BEHAVIORAL RESEARCH

"SEC. 404A. (a) There is established within the Office of the Director of NIH an office to be known as the Office of Behavioral Research (in this section referred to as the 'Office'). The Office shall be headed by a director, who shall be appointed by the Director of NIH.

"(b)(1) With respect to research on the relationship between human behavior and the development, treatment, and prevention of medical conditions, the Director of the Office shall coordinate research conducted or supported by the agencies of the National Institutes of Health.

"(2) Research authorized under paragraph (1) includes research on teen pregnancy, infant mortality, violent behavior, suicide, and homelessness.

"(3) The sole responsibility of the Director of the Office shall be carrying out paragraph (1)."

SEC. 204. CHILDREN'S VACCINE INITIATIVE.

Part A of title IV of the Public Health Service Act, as amended by section 203 of this Act, is amended by adding at the end the following new section:

"CHILDREN'S VACCINE INITIATIVE

"SEC. 404B. (a) **DEVELOPMENT OF NEW VACCINES.**—The Secretary, in consultation with the Director of the National Vaccine Program under title XXI and acting through the Directors of the National Institute for Allergy and Infectious Diseases, the National Institute for Child Health and Human Development, the National Institute for Aging, and other public and private programs, shall carry out activities, which shall be consistent with the global Children's Vaccine Initiative, to develop affordable new and improved vaccines to be used in the United States and in the developing world that will increase the efficacy and efficiency of the prevention of infectious diseases. In carrying out such activities, the Secretary shall, to the extent practicable, develop and make available vaccines that require fewer contacts to deliver, that can be given early in life, that provide long lasting protection, that obviate refrigeration, needles and syringes, and that protect against a larger number of diseases.

"(b) REPORT.—In the report required in section 2104, the Secretary, acting through the Director of the National Vaccine Program under title XXI, shall include information with respect to activities and the progress made in implementing the provisions of this section and achieving its goals.

"(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts authorized to be appropriated for activities of the type described in this section, there are authorized to be appropriated to carry out this section \$50,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 205. PLAN FOR USE OF ANIMALS IN RESEARCH.

(a) IN GENERAL.—Part A of title IV of the Public Health Service Act, as amended by section 204 of this Act, is amended by adding at the end the following new section:

"PLAN FOR USE OF ANIMALS IN RESEARCH

"SEC. 404C. (a) The Director of NIH, after consultation with the committee established under subsection (e), shall prepare a plan—

"(1) for the National Institutes of Health to conduct or support research into—

"(A) methods of biomedical research and experimentation that do not require the use of animals;

"(B) methods of such research and experimentation that reduce the number of animals used in such research;

"(C) methods of such research and experimentation that produce less pain and distress in such animals; and

"(D) methods of such research and experimentation that involve the use of marine life (other than marine mammals);

"(2) for establishing the validity and reliability of the methods described in paragraph (1);

"(3) for encouraging the acceptance by the scientific community of such methods that have been found to be valid and reliable; and

"(4) for training scientists in the use of such methods that have been found to be valid and reliable.

"(b) Not later than October 1, 1993, the Director of NIH shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, the plan required in subsection (a) and shall begin implementation of the plan.

"(c) The Director of NIH shall periodically review, and as appropriate, make revisions in the plan required under subsection (a). A description of any revision made in the plan shall be included in the first biennial report under section 403 that is submitted after the revision is made.

"(d) The Director of NIH shall take such actions as may be appropriate to convey to scientists and others who use animals in biomedical or behavioral research or experimentation information respecting the methods found to be valid and reliable under subsection (a)(2).

"(e)(1) The Director of NIH shall establish within the National Institutes of Health a committee to be known as the Interagency Coordinating Committee on the Use of Animals in Research (hereafter in this subsection referred to as the 'Committee').

"(2) The Committee shall provide advice to the Director of NIH on the preparation of the plan required in subsection (a).

"(3) The Committee shall be composed of—

"(A) the Directors of each of the national research institutes and the Director of the Center for Research Resources (or the designees of such Directors); and

"(B) representatives of the Environmental Protection Agency, the Food and Drug Administration, the Consumer Product Safety Commis-

sion, the National Science Foundation, and such additional agencies as the Director of NIH determines to be appropriate."

(b) CONFORMING AMENDMENT.—Section 4 of the Health Research Extension Act of 1985 (Public Law 99-158; 99 Stat. 880) is repealed.

SEC. 206. INCREASED PARTICIPATION OF WOMEN AND DISADVANTAGED INDIVIDUALS IN FIELDS OF BIOMEDICAL AND BEHAVIORAL RESEARCH.

Section 402 of the Public Health Service Act, as amended by section 202 of this Act, is amended by adding at the end the following new subsection:

"(h) The Secretary, acting through the Director of NIH and the Directors of the agencies of the National Institutes of Health, may conduct and support programs for research, research training, recruitment, and other activities to provide for an increase in the number of women and individuals from disadvantaged backgrounds in the fields of biomedical and behavioral research."

SEC. 207. REQUIREMENTS REGARDING SURVEYS OF SEXUAL BEHAVIOR.

Part A of title IV of the Public Health Service Act, as amended by section 205 of this Act, is amended by adding at the end the following new section:

"REQUIREMENTS REGARDING SURVEYS OF SEXUAL BEHAVIOR

"SEC. 404D. With respect to any survey of human sexual behavior proposed to be conducted or supported through the National Institutes of Health, the survey may not be carried out unless—

"(1) the proposal has undergone review in accordance with any applicable requirements of sections 491 and 492; and

"(2) the Secretary, in accordance with section 492A, makes a determination that the information expected to be obtained through the survey will assist—

"(A) in reducing the incidence of sexually transmitted diseases, the incidence of infection with the human immunodeficiency virus, or the incidence of any other infectious disease; or

"(B) in improving reproductive health or other conditions of health."

SEC. 208. DISCRETIONARY FUND OF DIRECTOR OF NATIONAL INSTITUTES OF HEALTH.

Section 402 of the Public Health Service Act, as amended by section 206 of this Act, is amended by adding at the end the following new subsection:

"(i)(1) There is established a fund, consisting of amounts appropriated under paragraph (3) and made available for the fund, for use by the Director of NIH to carry out the activities authorized in this Act for the National Institutes of Health. The purposes for which such fund may be expended include—

"(A) providing for research on matters that have not received significant funding relative to other matters, responding to new issues and scientific emergencies, and acting on research opportunities of high priority;

"(B) supporting research that is not exclusively within the authority of any single agency of such Institutes; and

"(C) purchasing or renting equipment and quarters for activities of such Institutes.

"(2) Not later than February 10 of each fiscal year, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the activities undertaken and expenditures made under this section during the preceding fiscal year. The report may contain such comments of the Secretary regarding this section as the Secretary determines to be appropriate.

"(3) For the purpose of carrying out this subsection, there are authorized to be appropriated \$25,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 209. ESTABLISHMENT OF OFFICE OF ALTERNATIVE MEDICINE.

Part A of title IV of the Public Health Service Act, as amended by section 207 of this Act, is amended by adding at the end the following section:

"OFFICE OF ALTERNATIVE MEDICINE

"SEC. 404E. (a) There is established within the Office of the Director of NIH an office to be known as the Office of Alternative Medicine (in this section referred to as the 'Office'), which shall be headed by a director appointed by the Director of NIH.

"(b) The purpose of the Office is to facilitate the evaluation of various alternative medicine treatment modalities, including acupuncture and Oriental medicine, homeopathic medicine, and physical manipulation therapies.

"(c) In carrying out subsection (b), the Director of the Office shall—

"(1) establish an information clearinghouse to exchange information with the public about alternative medicine;

"(2) support research training—

"(A) for which fellowship support is not provided under section 487; and

"(B) that is not residency training of physicians or other health professionals; and

"(3) submit an annual report on past and future activities of the Office, each of which reports shall be submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate."

SEC. 210. MISCELLANEOUS PROVISIONS.

(a) TERM OF OFFICE FOR MEMBERS OF ADVISORY COUNCILS.—Section 406(c) of the Public Health Service Act (42 U.S.C. 284a(c)) is amended in the second sentence by striking "until a successor has taken office" and inserting the following: "for 180 days after the date of such expiration".

(b) LITERACY REQUIREMENTS.—Section 402(e) of the Public Health Service Act (42 U.S.C. 282(e)) is amended—

(1) in paragraph (3), by striking "and" at the end;

(2) in paragraph (4), by striking the period and inserting "; and"; and

(3) by adding at the end thereof the following new paragraph:

"(5) ensure that, after January 1, 1994, at least one-half of all new or revised health education and promotion materials developed or funded by the National Institutes of Health is in a form that does not exceed a level of functional literacy, as defined in the National Literacy Act of 1991 (Public Law 102-73)."

(c) DAY CARE REGARDING CHILDREN OF EMPLOYEES.—Section 402 of the Public Health Service Act, as amended by section 208 of this Act, is amended by adding at the end the following new subsection:

"(j)(1) The Director of NIH may establish a program to provide day care services for the employees of the National Institutes of Health similar to those services provided by other Federal agencies (including the availability of day care service on a 24-hour-a-day basis).

"(2) Any day care provider at the National Institutes of Health shall establish a sliding scale of fees that takes into consideration the income and needs of the employee.

"(3) For purposes regarding the provision of day care services, the Director of NIH may enter into rental or lease purchase agreements."

TITLE III—GENERAL PROVISIONS RESPECTING NATIONAL RESEARCH INSTITUTES

SEC. 301. APPOINTMENT AND AUTHORITY OF DIRECTORS OF NATIONAL RESEARCH INSTITUTES.

(a) ESTABLISHMENT OF GENERAL AUTHORITY REGARDING DIRECT FUNDING.—

(1) IN GENERAL.—Section 405(b)(2) of the Public Health Service Act (42 U.S.C. 284(b)(2)) is amended—

(A) in subparagraph (A), by striking “and” after the semicolon at the end;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(C) shall receive from the President and the Office of Management and Budget directly all funds appropriated by the Congress for obligation and expenditure by the Institute.”.

(2) CONFORMING AMENDMENT.—Section 413(b)(9) of the Public Health Service Act (42 U.S.C. 285a-2(b)(9)) is amended—

(A) by striking “(A)” after “(9)”; and

(B) by striking “advisory council,” and all that follows and inserting “advisory council.”.

(b) APPOINTMENT AND DURATION OF TECHNICAL AND SCIENTIFIC PEER REVIEW GROUPS.—Section 405(c) of the Public Health Service Act (42 U.S.C. 284(c)) is amended—

(1) by amending paragraph (3) to read as follows:

“(3) may, in consultation with the advisory council for the Institute and with the approval of the Director of NIH—

“(A) establish technical and scientific peer review groups in addition to those appointed under section 402(b)(6); and

“(B) appoint the members of peer review groups established under subparagraph (A); and”.

(2) by adding after and below paragraph (4) the following:

“(The Federal Advisory Committee Act shall not apply to the duration of a peer review group appointed under paragraph (3)).”.

SEC. 302. PROGRAM OF RESEARCH ON OSTEOPOROSIS, PAGET'S DISEASE, AND RELATED BONE DISORDERS.

Part B of title IV of the Public Health Service Act (42 U.S.C. 284 et seq.), as amended by section 121(b) of Public Law 102-321 (106 Stat. 358), is amended by adding at the end the following new section:

“RESEARCH ON OSTEOPOROSIS, PAGET'S DISEASE, AND RELATED BONE DISORDERS

“SEC. 409A. (a) ESTABLISHMENT.—The Directors of the National Institute of Arthritis and Musculoskeletal and Skin Diseases, the National Institute on Aging, and the National Institute of Diabetes, Digestive and Kidney Diseases, shall expand and intensify the programs of such Institutes with respect to research and related activities concerning osteoporosis, Paget's disease, and related bone disorders.

“(b) COORDINATION.—The Directors referred to in subsection (a) shall jointly coordinate the programs referred to in such subsection and consult with the Arthritis and Musculoskeletal Diseases Interagency Coordinating Committee and the Interagency Task Force on Aging Research.

“(c) INFORMATION CLEARINGHOUSE.—

“(1) IN GENERAL.—In order to assist in carrying out the purpose described in subsection (a), the Director of NIH shall provide for the establishment of an information clearinghouse on osteoporosis and related bone disorders to facilitate and enhance knowledge and understanding on the part of health professionals, patients, and the public through the effective dissemination of information.

“(2) ESTABLISHMENT THROUGH GRANT OR CONTRACT.—For the purpose of carrying out para-

graph (1), the Director of NIH shall enter into a grant, cooperative agreement, or contract with a nonprofit private entity involved in activities regarding the prevention and control of osteoporosis and related bone disorders.

“(d) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there are authorized to be appropriated \$40,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.”.

SEC. 303. ESTABLISHMENT OF INTERAGENCY PROGRAM FOR TRAUMA RESEARCH.

(a) IN GENERAL.—Title XII of the Public Health Service Act (42 U.S.C. 300d et seq.), as amended by title VI of Public Law 102-321 (106 Stat. 433) and section 304 of Public Law 102-408 (106 Stat. 2084), is amended by adding at the end the following part:

“PART F—INTERAGENCY PROGRAM FOR TRAUMA RESEARCH

“SEC. 1261. ESTABLISHMENT OF PROGRAM.

“(a) IN GENERAL.—The Secretary, acting through the Director of the National Institutes of Health (hereafter in this section referred to as the ‘Director’), shall establish a comprehensive program of conducting basic and clinical research on trauma (hereafter in this section referred to as the ‘Program’). The Program shall include research regarding the diagnosis, treatment, rehabilitation, and general management of trauma.

“(b) PLAN FOR PROGRAM.—

“(1) IN GENERAL.—The Director, in consultation with the Trauma Research Interagency Coordinating Committee established under subsection (g), shall establish and implement a plan for carrying out the activities of the Program, including the activities described in subsection (d). All such activities shall be carried out in accordance with the plan. The plan shall be periodically reviewed, and revised as appropriate.

“(2) SUBMISSION TO CONGRESS.—Not later than June 1, 1993, the Director shall submit the plan required in paragraph (1) to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, together with an estimate of the funds needed for each of the fiscal years 1994 through 1996 to implement the plan.

“(c) PARTICIPATING AGENCIES; COORDINATION AND COLLABORATION.—The Director—

“(1) shall provide for the conduct of activities under the Program by the Directors of the agencies of the National Institutes of Health involved in research with respect to trauma;

“(2) shall ensure that the activities of the Program are coordinated among such agencies; and

“(3) shall, as appropriate, provide for collaboration among such agencies in carrying out such activities.

“(d) CERTAIN ACTIVITIES OF PROGRAM.—The Program shall include—

“(1) studies with respect to all phases of trauma care, including prehospital, resuscitation, surgical intervention, critical care, infection control, wound healing, nutritional care and support, and medical rehabilitation care;

“(2) basic and clinical research regarding the response of the body to trauma and the acute treatment and medical rehabilitation of individuals who are the victims of trauma; and

“(3) basic and clinical research regarding trauma care for pediatric and geriatric patients.

“(e) MECHANISMS OF SUPPORT.—In carrying out the Program, the Director, acting through the Directors of the agencies referred to in subsection (c)(1), may make grants to public and nonprofit entities, including designated trauma centers.

“(f) RESOURCES.—The Director shall assure the availability of appropriate resources to carry out the Program, including the plan es-

tablished under subsection (b) (including the activities described in subsection (d)).

“(g) COORDINATING COMMITTEE.—

“(1) IN GENERAL.—There shall be established a Trauma Research Interagency Coordinating Committee (hereafter in this section referred to as the ‘Coordinating Committee’).

“(2) DUTIES.—The Coordinating Committee shall make recommendations regarding—

“(A) the activities of the Program to be carried out by each of the agencies represented on the Committee and the amount of funds needed by each of the agencies for such activities; and

“(B) effective collaboration among the agencies in carrying out the activities.

“(3) COMPOSITION.—The Coordinating Committee shall be composed of the Directors of each of the agencies that, under subsection (c), have responsibilities under the Program, and any other individuals who are practitioners in the trauma field as designated by the Director of the National Institutes of Health.

“(h) DEFINITIONS.—For purposes of this section:

“(1) The term ‘designated trauma center’ has the meaning given such term in section 1231(l).

“(2) The term ‘Director’ means the Director of the National Institutes of Health.

“(3) The term ‘trauma’ means any serious injury that could result in loss of life or in significant disability and that would meet pre-hospital triage criteria for transport to a designated trauma center.”.

(b) CONFORMING AMENDMENT.—Section 402 of the Public Health Service Act, as amended by section 210(c) of this Act, is amended by adding at the end the following new subsection:

“(k) The Director of NIH shall carry out the program established in part E of title XII (relating to interagency research on trauma).”.

TITLE IV—NATIONAL CANCER INSTITUTE

SEC. 401. EXPANSION AND INTENSIFICATION OF ACTIVITIES REGARDING BREAST CANCER.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end the following new section:

“BREAST AND GYNECOLOGICAL CANCERS

“SEC. 417. (a) EXPANSION AND COORDINATION OF ACTIVITIES.—The Director of the Institute, in consultation with the National Cancer Advisory Board, shall expand, intensify, and coordinate the activities of the Institute with respect to research on breast cancer, ovarian cancer, and other cancers of the reproductive system of women.

“(b) COORDINATION WITH OTHER INSTITUTES.—The Director of the Institute shall coordinate the activities of the Director under subsection (a) with similar activities conducted by other national research institutes and agencies of the National Institutes of Health to the extent that such Institutes and agencies have responsibilities that are related to breast cancer and other cancers of the reproductive system of women.

“(c) PROGRAMS FOR BREAST CANCER.—

“(1) IN GENERAL.—In carrying out subsection (a), the Director of the Institute shall conduct or support research to expand the understanding of the cause of, and to find a cure for, breast cancer. Activities under such subsection shall provide for an expansion and intensification of the conduct and support of—

“(A) basic research concerning the etiology and causes of breast cancer;

“(B) clinical research and related activities concerning the causes, prevention, detection and treatment of breast cancer;

“(C) control programs with respect to breast cancer in accordance with section 412, including community-based programs designed to assist women who are members of medically under-

served populations, low-income populations, or minority groups;

"(D) information and education programs with respect to breast cancer in accordance with section 413; and

"(E) research and demonstration centers with respect to breast cancer in accordance with section 414, including the development and operation of centers for breast cancer research to bring together basic and clinical, biomedical and behavioral scientists to conduct basic, clinical, epidemiological, psychosocial, prevention and treatment research and related activities on breast cancer.

Not less than six centers shall be operated under subparagraph (E). Activities of such centers should include supporting new and innovative research and training programs for new researchers. Such centers shall give priority to expediting the transfer of research advances to clinical applications.

"(2) IMPLEMENTATION OF PLAN FOR PROGRAMS.—

"(A) The Director of the Institute shall ensure that the research programs described in paragraph (1) are implemented in accordance with a plan for the programs. Such plan shall include comments and recommendations that the Director of the Institute considers appropriate, with due consideration provided to the professional judgment needs of the Institute as expressed in the annual budget estimate prepared in accordance with section 413(9). The Director of the Institute, in consultation with the National Cancer Advisory Board, shall periodically review and revise such plan.

"(B) Not later than May 1, 1993, the Director of the Institute shall submit a copy of the plan to the President's Cancer Panel, the Secretary and the Director of NIH.

"(C) The Director of the Institute shall submit any revisions of the plan to the President's Cancer Panel, the Secretary, and the Director of NIH.

"(D) The Secretary shall provide a copy of the plan submitted under subparagraph (A), and any revisions submitted under subparagraph (C), to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate.

"(d) OTHER CANCERS.—In carrying out subsection (a), the Director of the Institute shall conduct or support research on ovarian cancer and other cancers of the reproductive system of women. Activities under such subsection shall provide for the conduct and support of—

"(1) basic research concerning the etiology and causes of ovarian cancer and other cancers of the reproductive system of women;

"(2) clinical research and related activities into the causes, prevention, detection and treatment of ovarian cancer and other cancers of the reproductive system of women;

"(3) control programs with respect to ovarian cancer and other cancers of the reproductive system of women in accordance with section 412;

"(4) information and education programs with respect to ovarian cancer and other cancers of the reproductive system of women in accordance with section 413; and

"(5) research and demonstration centers with respect to ovarian cancer and cancers of the reproductive system in accordance with section 414.

"(e) REPORT.—The Director of the Institute shall prepare, for inclusion in the biennial report submitted under section 407, a report that describes the activities of the National Cancer Institute under the research programs referred to in subsection (a), that shall include—

"(1) a description of the research plan with respect to breast cancer prepared under subsection (c);

"(2) an assessment of the development, revision, and implementation of such plan;

"(3) a description and evaluation of the progress made, during the period for which such report is prepared, in the research programs on breast cancer and cancers of the reproductive system of women;

"(4) a summary and analysis of expenditures made, during the period for which such report is made, for activities with respect to breast cancer and cancers of the reproductive system of women conducted and supported by the National Institutes of Health; and

"(5) such comments and recommendations as the Director considers appropriate."

SEC. 402. EXPANSION AND INTENSIFICATION OF ACTIVITIES REGARDING PROSTATE CANCER.

Subpart 1 of part C of title IV of the Public Health Service Act, as amended by section 401 of this Act, is amended by adding at the end the following new section:

"PROSTATE CANCER

"SEC. 417A. (a) EXPANSION AND COORDINATION OF ACTIVITIES.—The Director of the Institute, in consultation with the National Cancer Advisory Board, shall expand, intensify, and coordinate the activities of the Institute with respect to research on prostate cancer.

"(b) COORDINATION WITH OTHER INSTITUTES.—The Director of the Institute shall coordinate the activities of the Director under subsection (a) with similar activities conducted by other national research institutes and agencies of the National Institutes of Health to the extent that such Institutes and agencies have responsibilities that are related to prostate cancer.

"(c) PROGRAMS.—

"(1) IN GENERAL.—In carrying out subsection (a), the Director of the Institute shall conduct or support research to expand the understanding of the cause of, and to find a cure for, prostate cancer. Activities under such subsection shall provide for an expansion and intensification of the conduct and support of—

"(A) basic research concerning the etiology and causes of prostate cancer;

"(B) clinical research and related activities concerning the causes, prevention, detection and treatment of prostate cancer;

"(C) prevention and control and early detection programs with respect to prostate cancer in accordance with section 412, particularly as it relates to intensifying research on the role of prostate specific antigen for the screening and early detection of prostate cancer;

"(D) an Inter-Institute Task Force, under the direction of the Director of the Institute, to provide coordination between relevant National Institutes of Health components of research efforts on prostate cancer;

"(E) control programs with respect to prostate cancer in accordance with section 412;

"(F) information and education programs with respect to prostate cancer in accordance with section 413; and

"(G) research and demonstration centers with respect to prostate cancer in accordance with section 414, including the development and operation of centers for prostate cancer research to bring together basic and clinical, biomedical and behavioral scientists to conduct basic, clinical, epidemiological, psychosocial, prevention and control, treatment, research, and related activities on prostate cancer.

Not less than six centers shall be operated under subparagraph (G). Activities of such centers should include supporting new and innovative research and training programs for new researchers. Such centers shall give priority to expediting the transfer of research advances to clinical applications.

"(2) IMPLEMENTATION OF PLAN FOR PROGRAMS.—

"(A) The Director of the Institute shall ensure that the research programs described in paragraph (1) are implemented in accordance with a plan for the programs. Such plan shall include comments and recommendations that the Director of the Institute considers appropriate, with due consideration provided to the professional judgment needs of the Institute as expressed in the annual budget estimate prepared in accordance with section 413(9). The Director of the Institute, in consultation with the National Cancer Advisory Board, shall periodically review and revise such plan.

"(B) Not later than May 1, 1993, the Director of the Institute shall submit a copy of the plan to the President's Cancer Panel, the Secretary and the Director of NIH.

"(C) The Director of the Institute shall submit any revisions of the plan to the President's Cancer Panel, the Secretary, and the Director of NIH.

"(D) The Secretary shall provide a copy of the plan submitted under subparagraph (A), and any revisions submitted under subparagraph (C), to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate."

SEC. 403. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Subpart 1 of part C of title IV of the Public Health Service Act, as amended by section 402 of this Act, is amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 417B. (a) ACTIVITIES GENERALLY.—For the purpose of carrying out this subpart, there are authorized to be appropriated \$3,200,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

"(b) BREAST CANCER AND GYNECOLOGICAL CANCERS.—

"(1) BREAST CANCER.—

"(A) For the purpose of carrying out subparagraph (A) of section 417(c)(1), there are authorized to be appropriated \$225,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996. Such authorizations of appropriations are in addition to the authorizations of appropriations established in subsection (a) with respect to such purpose.

"(B) For the purpose of carrying out subparagraphs (B) through (E) of section 417(c)(1), there are authorized to be appropriated \$100,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996. Such authorizations of appropriations are in addition to the authorizations of appropriations established in subsection (a) with respect to such purpose.

"(2) OTHER CANCERS.—For the purpose of carrying out subsection (d) of section 417, there are authorized to be appropriated \$75,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996. Such authorizations of appropriations are in addition to the authorizations of appropriations established in subsection (a) with respect to such purpose.

"(c) PROSTATE CANCER.—For the purpose of carrying out section 417A, there are authorized to be appropriated \$72,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996. Such authorizations of appropriations are in addition to the authorizations of appropriations established in subsection (a) with respect to such purpose.

"(d) ALLOCATION REGARDING CANCER CONTROL.—

"(1) IN GENERAL.—Of the amounts appropriated for the National Cancer Institute for a fiscal year, the Director of the Institute shall make available not less than the applicable per-

centage specified in paragraph (2) for carrying out the cancer control activities authorized in section 412 and for which budget estimates are made under section 413(b)(9) for the fiscal year.

"(2) APPLICABLE PERCENTAGE.—The percentage referred to in paragraph (1) is—

"(A) 7 percent, in the case of fiscal year 1994;

"(B) 9 percent, in the case of fiscal year 1995; and

"(C) 10 percent, in the case of fiscal year 1996 and each subsequent fiscal year."

(b) CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 408 of the Public Health Service Act (42 U.S.C. 284c) is amended—

(A) by striking subsection (a);

(B) by redesignating subsection (b) as subsection (a);

(C) by redesignating paragraph (5) of subsection (a) (as so redesignated) as subsection (b); and

(D) by amending the heading for the section to read as follows:

"CERTAIN USES OF FUNDS".

(2) CROSS-REFERENCE.—Section 464F of the Public Health Service Act (42 U.S.C. 285m-6) is amended by striking "section 408(b)(1)" and inserting "section 408(a)(1)".

SEC. 404. STUDY OF ENVIRONMENTAL AND OTHER RISKS CONTRIBUTING TO INCIDENCE OF BREAST CANCER.

(a) REQUIREMENT OF STUDY.—

(1) IN GENERAL.—The Director of the National Cancer Institute (in this section referred to as the "Director"), in collaboration with the Director of the National Institute of Environmental Health Sciences, shall conduct a case-controlled study to assess biological markers of environmental and other risk factors contributing to the incidence of breast cancer in—

(A) the Counties of Nassau and Suffolk, in the State of New York; and

(B) the 2 counties in the northeastern United States that, as identified in the report specified in paragraph (2), had the highest age-adjusted mortality rate of such cancer that reflected not less than 30 deaths during the 5-year period for which findings are made in the report.

(2) RELEVANT REPORT.—The report referred to in paragraph (1)(B) is the report of the findings made in the study entitled "Survival, Epidemiology, and End Results", relating to cases of cancer during the years 1983 through 1987.

(b) CERTAIN ELEMENTS OF STUDY.—Activities of the Director in carrying out the study under subsection (a) shall include the use of a geographic system to evaluate the current and past exposure of individuals, including direct monitoring and cumulative estimates of exposure, to—

(1) contaminated drinking water;

(2) sources of indoor and ambient air pollution, including emissions from aircraft;

(3) electromagnetic fields;

(4) pesticides and other toxic chemicals;

(5) hazardous and municipal waste; and

(6) such other factors as the Director determines to be appropriate.

(c) REPORT.—Not later than 30 months after the date of the enactment of this Act, the Director shall complete the study required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

(d) FUNDING.—Of the amounts appropriated for fiscal years 1994 and 1995 for the National Institute of Environmental Health Sciences and the National Cancer Institute, the Director of the National Institutes of Health shall make available amounts for carrying out the study required in subsection (a).

TITLE V—NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

SEC. 501. EDUCATION AND TRAINING.

Section 421(b) of the Public Health Service Act (42 U.S.C. 285b-3(b)) is amended—

(1) in paragraph (3), by striking "and" after the semicolon at the end;

(2) in paragraph (4), by striking the period at the end and inserting "; and"; and

(3) by inserting after paragraph (4) the following new paragraph:

"(5) shall, in consultation with the advisory council for the Institute, conduct appropriate intramural training and education programs, including continuing education and laboratory and clinical research training programs."

SEC. 502. CENTERS FOR THE STUDY OF PEDIATRIC CARDIOVASCULAR DISEASES.

Section 422(a)(1) of the Public Health Service Act (42 U.S.C. 285b-4(a)(1)) is amended—

(1) in subparagraph (B), by striking "and" at the end;

(2) in subparagraph (C), by striking the period and inserting "; and"; and

(3) by adding at the end thereof the following new subparagraph:

"(D) three centers for basic and clinical research into, training in, and demonstration of, advanced diagnostic, prevention, and treatment (including genetic studies, intrauterine environment studies, postnatal studies, heart arrhythmias, and acquired heart disease and preventive cardiology) for cardiovascular diseases in children."

SEC. 503. NATIONAL CENTER ON SLEEP DISORDERS.

Subpart 2 of part C of title IV of the Public Health Service Act (42 U.S.C. 285b et seq.) is amended by adding at the end the following new section:

"NATIONAL CENTER ON SLEEP DISORDERS

"SEC. 424. (a) Not later than 1 year after the date of the enactment of the National Institutes of Health Revitalization Act of 1993, the Director of the Institute shall establish the National Center on Sleep Disorders (in this section referred to as the 'Center'). The Center shall be headed by a director, who shall be appointed by the Director of the Institute.

"(b) The general purpose of the Center is the conduct and support of research, training, health information dissemination, and other activities with respect to sleep disorders.

"(c) The Director of the Center may coordinate the activities of the Center with similar activities of other agencies of the Federal Government, including the other agencies of the National Institutes of Health, and with similar activities of other public entities and of private entities."

SEC. 504. AUTHORIZATION OF APPROPRIATIONS.

Subpart 2 of part C of title IV of the Public Health Service Act, as amended by section 503 of this Act, is amended by adding at the end the following section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 425. For the purpose of carrying out this subpart, there are authorized to be appropriated \$1,500,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

TITLE VI—NATIONAL INSTITUTE ON DIABETES AND DIGESTIVE AND KIDNEY DISEASES

SEC. 601. PROVISIONS REGARDING NUTRITIONAL DISORDERS.

Subpart 3 of part C of title IV of the Public Health Service Act (42 U.S.C. 285c et seq.) is amended by adding at the end the following new section:

"NUTRITIONAL DISORDERS PROGRAM

"SEC. 434. (a) The Director of the Institute, in consultation with the Director of NIH, shall es-

tablish a program of conducting and supporting research, training, health information dissemination, and other activities with respect to nutritional disorders, including obesity.

"(b) In carrying out the program established under subsection (a), the Director of the Institute shall conduct and support each of the activities described in such subsection.

"(c) In carrying out the program established under subsection (a), the Director of the Institute shall carry out activities to facilitate and enhance knowledge and understanding of nutritional disorders, including obesity, on the part of health professionals, patients, and the public through the effective dissemination of information."

(b) DEVELOPMENT AND EXPANSION OF RESEARCH AND TRAINING CENTERS.—Section 431 of the Public Health Service Act (42 U.S.C. 285c-5) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection:

"(d)(1) The Director of the Institute shall, subject to the extent of amounts made available in appropriations Acts, provide for the development or substantial expansion of centers for research and training regarding nutritional disorders, including obesity.

"(2) The Director of the Institute shall carry out paragraph (1) in collaboration with the Director of the National Cancer Institute and with the Directors of such other agencies of the National Institutes of Health as the Director of NIH determines to be appropriate.

"(3) Each center developed or expanded under paragraph (1) shall—

"(A) utilize the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such research and training qualifications as may be prescribed by the Director;

"(B) conduct basic and clinical research into the cause, diagnosis, early detection, prevention, control and treatment of nutritional disorders, including obesity and the impact of nutrition and diet on child development;

"(C) conduct training programs for physicians and allied health professionals in current methods of diagnosis and treatment of such diseases and complications, and in research in such disorders; and

"(D) conduct information programs for physicians and allied health professionals who provide primary care for patients with such disorders or complications."

TITLE VII—NATIONAL INSTITUTE ON ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

SEC. 701. JUVENILE ARTHRITIS.

(a) PURPOSE.—Section 435 of the Public Health Service Act (42 U.S.C. 285d) is amended by striking "and other programs" and all that follows and inserting the following: "and other programs with respect to arthritis and musculoskeletal and skin diseases (including sports-related disorders), with particular attention to the effect of these diseases on children."

(b) PROGRAMS.—Section 436 (42 U.S.C. 285d-1) is amended—

(1) in subsection (a), by inserting after the second sentence, the following: "The plan shall place particular emphasis upon expanding research into better understanding the causes and the development of effective treatments for arthritis affecting children."; and

(2) in subsection (b)—

(A) by striking "and" at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting "; and"; and

(C) by adding at the end thereof the following new paragraph:

"(5) research into the causes of arthritis affecting children and the development, trial, and evaluation of techniques, drugs and devices used in the diagnosis, treatment (including medical rehabilitation), and prevention of arthritis in children."

(c) **CENTERS.**—Section 441 of the Public Health Service Act (42 U.S.C. 286d-6) is amended by adding at the end thereof the following new subsection:

"(f) Not later than October 1, 1994, the Director shall establish a multipurpose arthritis and musculoskeletal disease center for the purpose of expanding the level of research into the cause, diagnosis, early detection, prevention, control, and treatment of, and rehabilitation of children with arthritis and musculoskeletal diseases."

(d) **ADVISORY BOARD.**—

(1) **TITLE.**—Section 442(a) of the Public Health Service Act (42 U.S.C. 285d-7(a)) is amended by inserting after "Arthritis" the following: "and Musculoskeletal and Skin Diseases".

(2) **COMPOSITION.**—Section 442(b) of the Public Health Service Act (42 U.S.C. 285d-7(b)) is amended—

(A) in the matter preceding paragraph (1), by striking "eighteen" and inserting "twenty"; and

(B) in paragraph (1)(B)—

(i) by striking "six" and inserting "eight"; and

(ii) by striking "including" and all that follows and inserting the following: "including one member who is a person who has such a disease, one person who is the parent of an adult with such a disease, and two members who are parents of children with arthritis."

(3) **ANNUAL REPORT.**—Section 442(j) of the Public Health Service Act (42 U.S.C. 285d-7(j)) is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting "; and"; and

(3) by adding at the end the following paragraph:

"(5) contains recommendations for expanding the Institute's funding of research directly applicable to the cause, diagnosis, early detection, prevention, control, and treatment of, and rehabilitation of children with arthritis and musculoskeletal diseases."

TITLE VIII—NATIONAL INSTITUTE ON AGING

SEC. 801. ALZHEIMER'S DISEASE REGISTRY.

(a) **IN GENERAL.**—Section 12 of Public Law 99-158 (99 Stat. 885) is—

(1) transferred to subpart 5 of part C of title IV of the Public Health Service Act (42 U.S.C. 285e et seq.);

(2) redesignated as section 445G; and

(3) inserted after section 445F of such Act.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 445G of the Public Health Service Act, as transferred and inserted by subsection (a) of this section, is amended—

(1) by striking the section heading and all that follows through "may make a grant" in subsection (a) and inserting the following:

"ALZHEIMER'S DISEASE REGISTRY

"SEC. 445G. (a) **IN GENERAL.**—The Director of the Institute may make a grant"; and

(2) by striking subsection (c).

SEC. 802. AGING PROCESSES REGARDING WOMEN.

Subpart 5 of part C of title IV of the Public Health Service Act, as amended by section 801 of this Act, is amended by adding at the end the following new section:

"AGING PROCESSES REGARDING WOMEN

"SEC. 445H. The Director of the Institute, in addition to other special functions specified in section 444 and in cooperation with the Directors of the other national research institutes

and agencies of the National Institutes of Health, shall conduct research into the aging processes of women, with particular emphasis given to the effects of menopause and the physiological and behavioral changes occurring during the transition from pre- to post-menopause, and into the diagnosis, disorders, and complications related to aging and loss of ovarian hormones in women."

SEC. 803. AUTHORIZATION OF APPROPRIATIONS.

Subpart 5 of part C of title IV of the Public Health Service Act, as amended by section 802 of this Act, is amended by adding at the end the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 445I. For the purpose of carrying out this subpart, there are authorized to be appropriated \$500,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 804. CONFORMING AMENDMENT.

Section 445C of the Public Health Service Act (42 U.S.C. 285e-5), as amended by section 9 of Public Law 102-507 (106 Stat. 3287), is amended—

(1) in subsection (b)(1), in the first sentence, by inserting after "Council" the following: "on Alzheimer's Disease (hereafter in this section referred to as the 'Council')"; and

(2) by adding at the end the following new subsection:

"(e) For purposes of this section, the term 'Council on Alzheimer's Disease' means the council established in section 911(a) of Public Law 99-660."

TITLE IX—NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

SEC. 901. TROPICAL DISEASES.

Section 446 of the Public Health Service Act (42 U.S.C. 285f) is amended by inserting before the period the following: ", including tropical diseases".

SEC. 902. CHRONIC FATIGUE SYNDROME.

(a) **RESEARCH CENTERS.**—Subpart 6 of part C of title IV of the Public Health Service Act (42 U.S.C. 285f) is amended by adding at the end the following new section:

"RESEARCH CENTERS REGARDING CHRONIC FATIGUE SYNDROME

"SEC. 447. (a) The Director of the Institute, after consultation with the advisory council for the Institute, may make grants to, or enter into contracts with, public or nonprofit private entities for the development and operation of centers to conduct basic and clinical research on chronic fatigue syndrome.

"(b) Each center assisted under this section shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute."

(b) **EXTRAMURAL STUDY SECTION.**—Not later than 6 months after the date of enactment of this Act, the Secretary of Health and Human Services shall establish an extramural study section for chronic fatigue syndrome research.

(c) **REPRESENTATIVES.**—The Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall ensure that appropriate individuals with expertise in chronic fatigue syndrome or neuromuscular diseases and representative of a variety of disciplines and fields within the research community are appointed to appropriate National Institutes of Health advisory committees and boards.

TITLE X—NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

Subtitle A—Research Centers With Respect to Contraception and Research Centers With Respect to Infertility

SEC. 1001. GRANTS AND CONTRACTS FOR RESEARCH CENTERS.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 3 of Public Law 101-613, is amended by adding at the end the following new section:

"RESEARCH CENTERS WITH RESPECT TO CONTRACEPTION AND INFERTILITY

"SEC. 452A. (a) The Director of the Institute, after consultation with the advisory council for the Institute, shall make grants to, or enter into contracts with, public or nonprofit private entities for the development and operation of centers to conduct activities for the purpose of improving methods of contraception and centers to conduct activities for the purpose of improving methods of diagnosis and treatment of infertility.

"(b) In carrying out subsection (a), the Director of the Institute shall, subject to the extent of amounts made available in appropriations Acts, provide for the establishment of three centers with respect to contraception and for two centers with respect to infertility.

"(c)(1) Each center assisted under this section shall, in carrying out the purpose of the center involved—

"(A) conduct clinical and other applied research, including—

"(i) for centers with respect to contraception, clinical trials of new or improved drugs and devices for use by males and females (including barrier methods); and

"(ii) for centers with respect to infertility, clinical trials of new or improved drugs and devices for the diagnosis and treatment of infertility in males and females;

"(B) develop protocols for training physicians, scientists, nurses, and other health and allied health professionals;

"(C) conduct training programs for such individuals;

"(D) develop model continuing education programs for such professionals; and

"(E) disseminate information to such professionals and the public.

"(2) A center may use funds provided under subsection (a) to provide stipends for health and allied health professionals enrolled in programs described in subparagraph (C) of paragraph (1), and to provide fees to individuals serving as subjects in clinical trials conducted under such paragraph.

"(d) The Director of the Institute shall, as appropriate, provide for the coordination of information among the centers assisted under this section.

"(e) Each center assisted under subsection (a) shall use the facilities of a single institution, or be formed from a consortium of cooperating institutions, meeting such requirements as may be prescribed by the Director of the Institute.

"(f) Support of a center under subsection (a) may be for a period not exceeding 5 years. Such period may be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director and if such group has recommended to the Director that such period should be extended.

"(g) For the purpose of carrying out this section, there are authorized to be appropriated \$30,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 1002. LOAN REPAYMENT PROGRAM FOR RESEARCH WITH RESPECT TO CONTRACEPTION AND INFERTILITY.

Part G of title IV of the Public Health Service Act, as redesignated by section 141(a)(2) of this

Act, is amended by inserting after section 487A the following section:

"LOAN REPAYMENT PROGRAM FOR RESEARCH WITH RESPECT TO CONTRACEPTION AND INFERTILITY"

"SEC. 487B. (a) The Secretary, in consultation with the Director of the National Institute of Child Health and Human Development, shall establish a program of entering into agreements with qualified health professionals (including graduate students) under which such health professionals agree to conduct research with respect to contraception, or with respect to infertility, in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of such health professionals.

"(b) The provisions of sections 338B, 338C, and 338E shall apply to the program established in subsection (a) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III.

"(c) Amounts appropriated for carrying out this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were appropriated."

Subtitle B—Program Regarding Obstetrics and Gynecology

SEC. 1011. ESTABLISHMENT OF PROGRAM.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 1001 of this Act, is amended by adding at the end the following new section:

"PROGRAM REGARDING OBSTETRICS AND GYNECOLOGY"

"SEC. 452B. The Director of the Institute shall establish and maintain within the Institute an intramural laboratory and clinical research program in obstetrics and gynecology."

Subtitle C—Child Health Research Centers

SEC. 1021. ESTABLISHMENT OF CENTERS.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 1011 of this Act, is amended by adding at the end the following new section:

"CHILD HEALTH RESEARCH CENTERS"

"SEC. 452C. The Director of the Institute shall develop and support centers for conducting research with respect to child health. Such centers shall give priority to the expeditious transfer of advances from basic science to clinical applications and improving the care of infants and children."

Subtitle D—Study Regarding Adolescent Health

SEC. 1031. PROSPECTIVE LONGITUDINAL STUDY.

Subpart 7 of part C of title IV of the Public Health Service Act, as amended by section 1021 of this Act, is amended by adding at the end the following new section:

"PROSPECTIVE LONGITUDINAL STUDY ON ADOLESCENT HEALTH"

"SEC. 452D. (a) IN GENERAL.—Not later than October 1, 1993, the Director of the Institute shall commence a study for the purpose of providing information on the general health and well-being of adolescents in the United States, including, with respect to such adolescents, information on—

"(1) the behaviors that promote health and the behaviors that are detrimental to health; and

"(2) the influence on health of factors particular to the communities in which the adolescents reside.

"(b) DESIGN OF STUDY.—"

"(1) IN GENERAL.—The study required in subsection (a) shall be a longitudinal study in

which a substantial number of adolescents participate as subjects. With respect to the purpose described in such subsection, the study shall monitor the subjects throughout the period of the study to determine the health status of the subjects and any change in such status over time.

"(2) POPULATION-SPECIFIC ANALYSES.—The study required in subsection (a) shall be conducted with respect to the population of adolescents who are female, the population of adolescents who are male, various socioeconomic populations of adolescents, and various racial and ethnic populations of adolescents. The study shall be designed and conducted in a manner sufficient to provide for a valid analysis of whether there are significant differences among such populations in health status and whether and to what extent any such differences are due to factors particular to the populations involved.

"(c) COORDINATION WITH WOMEN'S HEALTH INITIATIVE.—With respect to the national study of women being conducted by the Secretary and known as the Women's Health Initiative, the Secretary shall ensure that such study is coordinated with the component of the study required in subsection (a) that concerns adolescent females, including coordination in the design of the 2 studies."

TITLE XI—NATIONAL EYE INSTITUTE

SEC. 1101. CLINICAL RESEARCH ON DIABETES EYE CARE.

(a) IN GENERAL.—Subpart 9 of part C of title IV of the Public Health Service Act (42 U.S.C. 285i) is amended by adding at the end the following new section:

"CLINICAL RESEARCH ON EYE CARE AND DIABETES"

"SEC. 456. (a) PROGRAM OF GRANTS.—The Director of the Institute, in consultation with the advisory council for the Institute, may award not more than three grants for the establishment and support of centers for clinical research on eye care for individuals with diabetes.

"(b) AUTHORIZED EXPENDITURES.—The purposes for which a grant under subsection (a) may be expended include equipment for the research described in such subsection and the construction and modernization of facilities for such research."

(b) CONFORMING AMENDMENT.—Section 455 of the Public Health Service Act (42 U.S.C. 285i) is amended in the second sentence by striking "The Director" and inserting "Subject to section 456, the Director".

TITLE XII—NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

SEC. 1201. RESEARCH ON MULTIPLE SCLEROSIS.

Subpart 10 of part C of title IV of the Public Health Service Act (42 U.S.C. 285j et seq.) is amended by adding at the end the following new section:

"RESEARCH ON MULTIPLE SCLEROSIS"

"SEC. 460. The Director of the Institute shall conduct and support research on multiple sclerosis, especially research on effects of genetics and hormonal changes on the progress of the disease."

TITLE XIII—NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

SEC. 1301. APPLIED TOXICOLOGICAL RESEARCH AND TESTING PROGRAM.

(a) IN GENERAL.—Subpart 12 of part C of title IV of the Public Health Service Act (42 U.S.C. 285l) is amended by adding at the end the following new section:

"APPLIED TOXICOLOGICAL RESEARCH AND TESTING PROGRAM"

"SEC. 463A. (a) There is established within the Institute a program for conducting applied research and testing regarding toxicology, which program shall be known as the Applied Toxicological Research and Testing Program.

"(b) In carrying out the program established under subsection (a), the Director of the Institute shall, with respect to toxicology, carry out activities—

"(1) to expand knowledge of the health effects of environmental agents;

"(2) to broaden the spectrum of toxicology information that is obtained on selected chemicals;

"(3) to develop and validate assays and protocols, including alternative methods that can reduce or eliminate the use of animals in acute or chronic safety testing;

"(4) to establish criteria for the validation and regulatory acceptance of alternative testing and to recommend a process through which scientifically validated alternative methods can be accepted for regulatory use;

"(5) to communicate the results of research to government agencies, to medical, scientific, and regulatory communities, and to the public; and

"(6) to integrate related activities of the Department of Health and Human Services."

SEC. 1302. STUDY OF ENVIRONMENTAL AND OTHER RISKS CONTRIBUTING TO INCIDENCE OF BREAST AND PROSTATE CANCER.

(a) IN GENERAL.—The Director of the National Institute of Environmental Health Sciences (in this section referred to as the "Director"), in collaboration with the Director of the National Cancer Institute, shall conduct a case-controlled study to assess biological markers of environmental and other risk factors contributing to the incidence of breast and prostate cancer in the Counties of Nassau and Suffolk, in the State of New York.

(b) CERTAIN ELEMENTS OF STUDY.—Activities of the Director in carrying out the study under subsection (a) shall include the use of a geographic system to evaluate the current and past exposure of individuals, including direct monitoring and cumulative estimates of exposure, to—

- (1) contaminated drinking water;
- (2) sources of indoor and ambient air pollution, including emissions from aircraft;
- (3) electromagnetic fields;
- (4) pesticides and other toxic chemicals;
- (5) hazardous and municipal waste; and
- (6) such other factors as the Director determines to be appropriate.

(c) REPORT.—Not later than 24 months after the date of the enactment of this Act, the Director shall complete the study required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

(d) FUNDING.—Of the amounts appropriated for fiscal years 1994 and 1995 for the National Institute of Environmental Health Sciences and the National Cancer Institute, the Director of the National Institutes of Health shall make available amounts for carrying out the study required in subsection (a).

TITLE XIV—NATIONAL LIBRARY OF MEDICINE

Subtitle A—General Provisions

SEC. 1401. ADDITIONAL AUTHORITIES.

(a) IN GENERAL.—Section 465(b) of the Public Health Service Act (42 U.S.C. 286(b)) is amended—

(1) by striking "and" after the semicolon at the end of paragraph (5);

(2) by redesignating paragraph (6) as paragraph (8); and

(3) by inserting after paragraph (5) the following new paragraphs:

"(6) publicize the availability from the Library of the products and services described in any of paragraphs (1) through (5);

"(7) promote the use of computers and telecommunications by health professionals (including health professionals in rural areas) for the purpose of improving access to biomedical information for health care delivery and medical research; and"

(b) **LIMITATION REGARDING GRANTS.**—Section 474(b)(2) of the Public Health Service Act (42 U.S.C. 286b–S(b)(2)) is amended by striking "\$750,000" and inserting "\$1,000,000".

(c) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **REPEAL OF CERTAIN AUTHORITY.**—Section 215 of the Department of Health and Human Services Appropriations Act, 1988, as contained in section 101(h) of Public Law 100–202 (101 Stat. 1329–275), is repealed.

(2) **APPLICABILITY OF CERTAIN NEW AUTHORITY.**—With respect to the authority established for the National Library of Medicine in section 465(b)(6) of the Public Health Service Act, as added by subsection (a) of this section, such authority shall be effective as if the authority had been established on December 22, 1987.

SEC. 1402. AUTHORIZATION OF APPROPRIATIONS.

(a) **ESTABLISHMENT OF SINGLE AUTHORIZATION.**—Subpart 1 of part D of title IV of the Public Health Service Act (42 U.S.C. 286 et seq.) is amended by adding at the end the following section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 468. (a) For the purpose of carrying out this part, there are authorized to be appropriated \$150,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996.

"(b) Amounts appropriated under subsection (a) and made available for grants or contracts under any of sections 472 through 476 shall remain available until the end of the fiscal year following the fiscal year for which the amounts were appropriated."

(b) **CONFORMING AMENDMENTS.**—Part D of title IV of the Public Health Service Act (42 U.S.C. 286 et seq.) is amended by striking section 469 and section 478(c).

Subtitle B—Financial Assistance

SEC. 1411. ESTABLISHMENT OF PROGRAM OF GRANTS FOR DEVELOPMENT OF EDUCATION TECHNOLOGIES.

Section 473 of the Public Health Service Act (42 U.S.C. 286b–4) is amended by adding at the end the following new subsection:

"(c)(1) The Secretary shall make grants to public or nonprofit private institutions for the purpose of carrying out projects of research on, and development and demonstration of, new education technologies.

"(2) The purposes for which a grant under paragraph (1) may be made include projects concerning—

"(A) computer-assisted teaching and testing of clinical competence at health professions and research institutions;

"(B) the effective transfer of new information from research laboratories to appropriate clinical applications;

"(C) the expansion of the laboratory and clinical uses of computer-stored research databases; and

"(D) the testing of new technologies for training health care professionals.

"(3) The Secretary may not make a grant under paragraph (1) unless the applicant for the grant agrees to make the projects available with respect to—

"(A) assisting in the training of health professions students; and

"(B) enhancing and improving the capabilities of health professionals regarding research and teaching."

Subtitle C—National Information Center on Health Services Research and Health Care Technology

SEC. 1421. ESTABLISHMENT OF CENTER.

Part D of title IV of the Public Health Service Act (42 U.S.C. 286 et seq.) is amended by adding at the end the following new subpart:

"Subpart 4—National Information Center on Health Services Research and Health Care Technology

"NATIONAL INFORMATION CENTER

"SEC. 478A. (a) There is established within the Library an entity to be known as the National Information Center on Health Services Research and Health Care Technology (in this section referred to as the 'Center').

"(b) The purpose of the Center is the collection, storage, analysis, retrieval, and dissemination of information on health services research, clinical practice guidelines, and on health care technology, including the assessment of such technology. Such purpose includes developing and maintaining data bases and developing and implementing methods of carrying out such purpose.

"(c) The Director of the Center shall ensure that information under subsection (b) concerning clinical practice guidelines is collected and maintained electronically and in a convenient format. Such Director shall develop and publish criteria for the inclusion of practice guidelines and technology assessments in the information center database.

"(d) The Secretary, acting through the Center, shall coordinate the activities carried out under this section through the Center with related activities of the Administrator for Health Care Policy and Research."

SEC. 1422. CONFORMING PROVISIONS.

(a) **IN GENERAL.**—Section 903 of the Public Health Service Act, as amended by section 3 of Public Law 102–410 (106 Stat. 2094), is amended by amending subsection (e) to read as follows:

"(e) **REQUIRED INTERAGENCY AGREEMENT.**—The Administrator and the Director of the National Library of Medicine shall enter into an agreement providing for the implementation of section 478A."

(b) **RULE OF CONSTRUCTION.**—The amendments made by section 3 of Public Law 102–410 (106 Stat. 2094), by section 1421 of this Act, and by subsection (a) of this section may not be construed as terminating the information center on health care technologies and health care technology assessment established under section 904 of the Public Health Service Act, as in effect on the day before the date of the enactment of Public Law 102–410. Such center shall be considered to be the center established in section 478A of the Public Health Service Act, as added by section 1421 of this Act, and shall be subject to the provisions of such section 478A.

TITLE XV—OTHER AGENCIES OF NATIONAL INSTITUTES OF HEALTH

Subtitle A—Division of Research Resources

SEC. 1501. REDESIGNATION OF DIVISION AS NATIONAL CENTER FOR RESEARCH RESOURCES.

Title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended—

(1) in section 401(b)(2)(B), by amending such subparagraph to read as follows:

"(B) The National Center for Research Resources;" and

(2) in part E—

(A) in the heading for subpart 1, by striking "Division of" and inserting "National Center for";

(B) in section 479, by striking "the Division of Research Resources" and inserting the following: "the National Center for Research Resources (hereafter in this subpart referred to as the 'Center')";

(C) in sections 480 and 481, by striking "the Division of Research Resources" each place such term appears and inserting "the Center"; and

(D) in sections 480 and 481, as amended by subparagraph (C), by striking "the Division" each place such term appears and inserting "the Center".

SEC. 1502. BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES.

Subpart 1 of part E of title IV of the Public Health Service Act (42 U.S.C. 287 et seq.) is amended by adding at the end the following new section:

"BIOMEDICAL AND BEHAVIORAL RESEARCH FACILITIES

"SEC. 481A. (a) **MODERNIZATION AND CONSTRUCTION OF FACILITIES.**—

"(1) **IN GENERAL.**—The Director of NIH, acting through the Director of the Center, may make grants to public and nonprofit private entities to expand, remodel, renovate, or alter existing research facilities or construct new research facilities, subject to the provisions of this section.

"(2) **CONSTRUCTION AND COST OF CONSTRUCTION.**—For purposes of this section, the terms 'construction' and 'cost of construction' include the construction of new buildings and the expansion, renovation, remodeling, and alteration of existing buildings, including architects' fees, but do not include the cost of acquisition of land or off-site improvements.

"(b) **SCIENTIFIC AND TECHNICAL REVIEW BOARDS FOR MERIT-BASED REVIEW OF PROPOSALS.**—

"(1) **IN GENERAL; APPROVAL AS PRECONDITION TO GRANTS.**—

"(A) There is established within the Center a Scientific and Technical Review Board on Biomedical and Behavioral Research Facilities (hereafter referred to in this section as the 'Board').

"(B) The Director of the Center may approve an application for a grant under subsection (a) only if the Board has under paragraph (2) recommended the application for approval.

"(2) **DUTIES.**—

"(A) The Board shall provide advice to the Director of the Center and the advisory council established under section 480 (hereafter in this section referred to as the 'Advisory Council') on carrying out this section.

"(B) In carrying out subparagraph (A), the Board shall make a determination of the merit of each application submitted for a grant under subsection (a), after consideration of the requirements established in subsection (c), and shall report the results of the determination to the Director of the Center and the Advisory Council. Such determinations shall be conducted in a manner consistent with procedures established under section 492.

"(C) In carrying out subparagraph (A), the Board shall, in the case of applications recommended for approval, make recommendations to the Director and the Advisory Council on the amount that should be provided in the grant.

"(D) In carrying out subparagraph (A), the Board shall prepare an annual report for the Director of the Center and the Advisory Council describing the activities of the Board in the fiscal year for which the report is made. Each such report shall be available to the public, and shall—

"(i) summarize and analyze expenditures made under this section;

"(ii) provide a summary of the types, numbers, and amounts of applications that were recommended for grants under subsection (a) but that were not approved by the Director of the Center; and

"(iii) contain the recommendations of the Board for any changes in the administration of this section.

"(3) MEMBERSHIP.—

"(A) Subject to subparagraph (B), the Board shall be composed of 9 appointed members, and such *ex officio* members as the Director of the Center determines to be appropriate.

"(B) Not more than 3 individuals who are officers or employees of the Federal Government may serve as members of the Board.

"(4) **CERTAIN REQUIREMENTS REGARDING MEMBERSHIP.**—In selecting individuals for membership on the Board, the Director of the Center shall ensure that the members are individuals who, by virtue of their training or experience, are eminently qualified to perform peer review functions. In selecting such individuals for such membership, the Director of the Center shall ensure that the members of the Board collectively—

"(A) are experienced in the planning, construction, financing, and administration of entities that conduct biomedical or behavioral research sciences;

"(B) are knowledgeable in making determinations of the need of entities for biomedical or behavioral research facilities, including such facilities for the dentistry, nursing, pharmacy, and allied health professions;

"(C) are knowledgeable in evaluating the relative priorities for applications for grants under subsection (a) in view of the overall research needs of the United States; and

"(D) are experienced with emerging centers of excellence, as described in subsection (c)(3).

"(5) CERTAIN AUTHORITIES.—

"(A) In carrying out paragraph (2), the Board may convene workshops and conferences, and collect data as the Board considers appropriate.

"(B) In carrying out paragraph (2), the Board may establish subcommittees within the Board. Such subcommittees may hold meetings as determined necessary to enable the subcommittee to carry out its duties.

"(6) TERMS.—

"(A) Except as provided in subparagraph (B), each appointed member of the Board shall hold office for a term of 4 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which such member's predecessor was appointed shall be appointed for the remainder of the term of the predecessor.

"(B) Of the initial members appointed to the Board (as specified by the Director of the Center when making the appointments)—

"(i) 3 shall hold office for a term of 3 years;

"(ii) 3 shall hold office for a term of 2 years; and

"(iii) 3 shall hold office for a term of 1 year.

"(C) No member is eligible for reappointment to the Board until 1 year has elapsed after the end of the most recent term of the member.

"(7) **COMPENSATION.**—Members of the Board who are not officers or employees of the United States shall receive for each day the members are engaged in the performance of the functions of the Board compensation at the same rate received by members of other national advisory councils established under this title.

"(c) REQUIREMENTS FOR GRANTS.—

"(1) **IN GENERAL.**—The Director of the Center may make a grant under subsection (a) only if the applicant for the grant meets the following conditions:

"(A) The applicant is determined by such Director to be competent to engage in the type of research for which the proposed facility is to be constructed.

"(B) The applicant provides assurances satisfactory to the Director that—

"(i) for not less than 20 years after completion of the construction, the facility will be used for the purposes of research for which it is to be constructed;

"(ii) sufficient funds will be available to meet the non-Federal share of the cost of constructing the facility;

"(iii) sufficient funds will be available, when construction is completed, for the effective use of the facility for the research for which it is being constructed; and

"(iv) the proposed construction will expand the applicant's capacity for research, or is necessary to improve or maintain the quality of the applicant's research.

"(C) The applicant meets reasonable qualifications established by the Director with respect to—

"(i) the relative scientific and technical merit of the applications, and the relative effectiveness of the proposed facilities, in expanding the capacity for biomedical or behavioral research and in improving the quality of such research;

"(ii) the quality of the research or training, or both, to be carried out in the facilities involved;

"(iii) the need of the applicant for such facilities in order to maintain or expand the applicant's research and training mission;

"(iv) the congruence of the research activities to be carried out within the facility with the research and investigator manpower needs of the United States; and

"(v) the age and condition of existing research facilities and equipment.

"(D) The applicant has demonstrated a commitment to enhancing and expanding the research productivity of the applicant.

"(2) **CONSIDERATION OF CERTAIN FACTORS.**—In making grants under subsection (a), the Director of the Center may, in addition to the requirements established in paragraph (1), consider the following factors:

"(A) To what extent the applicant has the capacity to broaden the scope of research and research training programs of the applicant by promoting—

"(i) interdisciplinary research;

"(ii) research on emerging technologies, including those involving novel analytical techniques or computational methods; or

"(iii) other novel research mechanisms or programs.

"(B) To what extent the applicant has broadened the scope of research and research training programs of qualified institutions by promoting genomic research with an emphasis on interdisciplinary research, including research related to pediatric investigations.

"(3) **INSTITUTIONS OF EMERGING EXCELLENCE.**—Of the amounts appropriated under subsection (h) for a fiscal year, the Director of the Center shall make available 25 percent for grants under subsection (a) to applicants that, in addition to meeting the requirements established in paragraph (1), have demonstrated emerging excellence in biomedical or behavioral research, as follows:

"(A) The applicant has a plan for research or training advancement and possesses the ability to carry out the plan.

"(B) The applicant carries out research and research training programs that have a special relevance to a problem, concern, or unmet health need of the United States.

"(C) The applicant has been productive in research or research development and training.

"(D) The applicant—

"(i) has been designated as a center of excellence under section 739;

"(ii) is located in a geographic area a significant percentage of whose population has a health-status deficit, and the applicant provides health services to such population; or

"(iii) is located in a geographic area in which a deficit in health care technology, services, or research resources may adversely affect health status of the population of the area in the future, and the applicant is carrying out activities with respect to protecting the health status of such population.

"(d) **REQUIREMENT OF APPLICATION.**—The Director of the Center may make a grant under

subsection (a) only if an application for the grant is submitted to the Director and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Director determines to be necessary to carry out this section.

"(e) AMOUNT OF GRANT; PAYMENTS.—

"(1) **AMOUNT.**—The amount of any grant awarded under subsection (a) shall be determined by the Director of the Center, except that such amount shall not exceed—

"(A) 50 percent of the necessary cost of the construction of a proposed facility as determined by the Director; or

"(B) in the case of a multipurpose facility, 40 percent of that part of the necessary cost of construction that the Director determines to be proportionate to the contemplated use of the facility.

"(2) **RESERVATION OF AMOUNTS.**—On approval of any application for a grant under subsection (a), the Director of the Center shall reserve, from any appropriation available therefore, the amount of such grant, and shall pay such amount, in advance or by way of reimbursement, and in such installments consistent with the construction progress, as the Director may determine appropriate. The reservation of the Director of any amount by the Director under this paragraph may be amended by the Director, either on the approval of an amendment of the application or on the revision of the estimated cost of construction of the facility.

"(3) **EXCLUSION OF CERTAIN COSTS.**—In determining the amount of any grant under this subsection (a), there shall be excluded from the cost of construction an amount equal to the sum of—

"(A) the amount of any other Federal grant that the applicant has obtained, or is assured of obtaining, with respect to construction that is to be financed in part by a grant authorized under this section; and

"(B) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"(4) **WAIVER OF LIMITATIONS.**—The limitations imposed by paragraph (1) may be waived at the discretion of the Director for applicants meeting the conditions described in paragraphs (1) and (2) of subsection (c).

"(f) **RECAPTURE OF PAYMENTS.**—If, not later than 20 years after the completion of construction for which a grant has been awarded under subsection (a)—

"(1) the applicant or other owner of the facility shall cease to be a public or nonprofit private entity; or

"(2) the facility shall cease to be used for the research purposes for which it was constructed (unless the Director determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from obligation to do so);

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the current value (as determined by an agreement between the parties or by action brought in the United States District Court for the district in which such facility is situated) of the facility as the amount of the Federal participation bore to the cost of the construction of such facility.

"(g) **GUIDELINES.**—Not later than 6 months after the date of the enactment of this section, the Director of the Center, after consultation with the Advisory Council, shall issue guidelines with respect to grants under subsection (a).

"(h) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there are authorized to be appropriated \$150,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."

SEC. 1503. CONSTRUCTION PROGRAM FOR NATIONAL PRIMATE RESEARCH CENTER.

Subpart 1 of part E of title IV of the Public Health Service Act, as amended by section 1502 of this Act, is amended by adding at the end the following new section:

"CONSTRUCTION OF REGIONAL CENTERS FOR RESEARCH ON PRIMATES"

"SEC. 481B. (a) With respect to activities carried out by the National Center for Research Resources to support regional centers for research on primates, the Director of NIH shall, for each of the fiscal years 1994 through 1996, reserve from the amounts appropriated under section 481A(i) \$5,000,000 for the purpose of making awards of grants and contracts to public or non-profit private entities to construct, renovate, or otherwise improve such regional centers. The reservation of such amounts for any fiscal year is subject to the availability of qualified applicants for such awards.

"(b) The Director of NIH may not make a grant or enter into a contract under subsection (a) unless the applicant for such assistance agrees, with respect to the costs to be incurred by the applicant in carrying out the purpose described in such subsection, to make available (directly or through donations from public or private entities) non-Federal contributions in cash toward such costs in an amount equal to not less than \$1 for each \$4 of Federal funds provided in such assistance."

Subtitle B—National Center for Nursing Research

SEC. 1511. REDESIGNATION OF NATIONAL CENTER FOR NURSING RESEARCH AS NATIONAL INSTITUTE OF NURSING RESEARCH.

(a) IN GENERAL.—Subpart 3 of part E of title IV of the Public Health Service Act (42 U.S.C. 287c et seq.) is amended—

(1) in section 483—

(A) in the heading for the section, by striking "CENTER" and inserting "INSTITUTE"; and

(B) by striking "The general purpose" and all that follows through "is" and inserting the following: "The general purpose of the National Institute of Nursing Research (hereafter in this subpart referred to as the 'Institute') is";

(2) in section 484, by striking "Center" each place such term appears and inserting "Institute";

(3) in section 485—

(A) in subsection (a), in each of paragraphs (1) through (3), by striking "Center" each place such term appears and inserting "Institute";

(B) in subsection (b)—

(i) in paragraph (2)(A), by striking "Center" and inserting "Institute"; and

(ii) in paragraph (3)(A), in the first sentence, by striking "Center" and inserting "Institute"; and

(C) in subsections (d) through (g), by striking "Center" each place such term appears and inserting "Institute"; and

(4) in section 485A (as redesignated by section 141(a)(1) of this Act), by striking "Center" each place such term appears and inserting "Institute".

(b) CONFORMING AMENDMENTS.—

(1) ORGANIZATION OF NATIONAL INSTITUTES OF HEALTH.—Section 401(b) of the Public Health Service Act (42 U.S.C. 281(b)) is amended—

(A) in paragraph (1), by adding at the end the following new subparagraph:

"(Q) The National Institute of Nursing Research."; and

(B) in paragraph (2), by striking subparagraph (D).

(2) TRANSFER OF STATUTORY PROVISIONS.—The Public Health Service Act, as amended by subsection (a) of this section and by section 124 of Public Law 102-321 (106 Stat. 364), is amended—

(A) by transferring sections 483 through 485A to part C of title IV;

(B) by redesignating such sections as sections 464V through 464Y of such part; and

(C) by adding such sections, in the appropriate sequence, at the end of such part.

(3) HEADING FOR NEW SUBPART.—Title IV of the Public Health Service Act, as amended by the preceding provisions of this section, is amended—

(A) in part C, by inserting before section 464V the following:

"Subpart 17—National Institute of Nursing Research"; and

(B) by striking the subpart designation and heading for subpart 3 of part E.

(4) CROSS-REFERENCES.—Title IV of the Public Health Service Act, as amended by the preceding provisions of this section, is amended in subpart 17 of part C—

(A) in section 464W, by striking "section 483" and inserting "section 464V";

(B) in section 464X(g), by striking "section 486" and inserting "section 464Y"; and

(C) in section 464Y, in the last sentence, by striking "section 485(g)" and inserting "section 464X(g)".

SEC. 1512. STUDY ON ADEQUACY OF NUMBER OF NURSES.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the National Institute of Nursing Research, shall enter into a contract with a public or non-profit private entity to conduct a study for the purpose of determining whether and to what extent there is a need for an increase in the number of nurses in hospitals and nursing homes in order to promote the quality of patient care and reduce the incidence among nurses of work-related injuries and stress.

(b) NATIONAL ACADEMY OF SCIENCES.—The Secretary shall request the Institute of Medicine of the National Academy of Sciences to enter into the contract under subsection (a) to conduct the study described in such subsection. If such Institute declines to conduct the study, the Secretary shall carry out such subsection through another public or non-profit private entity.

(c) DEFINITIONS.—For purposes of this section:

(1) The term "nurse" means a registered nurse, a licensed practical nurse, a licensed vocational nurse, and a nurse assistant.

(2) The term "Secretary" means the Secretary of Health and Human Services.

(d) REPORT.—The Secretary shall ensure that, not later than October 1, 1994, the study required in subsection (a) is completed and a report describing the findings made as a result of the study is submitted to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate.

Subtitle C—National Center for Human Genome Research

SEC. 1521. PURPOSE OF CENTER.

Title IV of the Public Health Service Act, as amended by section 141(a)(1) of this Act and by paragraphs (1)(B) and (3)(B) of section 1511(b) of this Act, is amended—

(1) in section 401(b)(2), by adding at the end the following new subparagraph:

"(D) The National Center for Human Genome Research."; and

(2) in part E, by adding at the end the following new subpart:

"Subpart 3—National Center for Human Genome Research"

"PURPOSE OF THE CENTER"

"SEC. 485B. (a) The general purpose of the National Center for Human Genome Research (hereafter in this subpart referred to as the 'Center') is to characterize the structure and

function of the human genome, including the mapping and sequencing of individual genes. Such purpose includes—

"(1) planning and coordinating the research goal of the genome project;

"(2) reviewing and funding research proposals;

"(3) developing training programs;

"(4) coordinating international genome research;

"(5) communicating advances in genome science to the public; and

"(6) reviewing and funding proposals to address the ethical and legal issues associated with the genome project.

"(b) The Director of the Center may conduct and support research training—

"(1) for which fellowship support is not provided under section 487; and

"(2) that is not residency training of physicians or other health professionals.

"(c)(1) Except as provided in paragraph (2), of the amounts appropriated to carry out subsection (a) for a fiscal year, the Director of the Center shall make available not less than 5 percent for carrying out paragraph (6) of such subsection.

"(2) With respect to providing funds under subsection (a)(6) for proposals to address the ethical issues associated with the genome project, paragraph (1) shall not apply for a fiscal year if the Director of the Center certifies to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, that the Director has determined that an insufficient number of such proposals meet the applicable requirements of sections 491 and 492."

TITLE XVI—AWARDS AND TRAINING

Subtitle A—National Research Service Awards

SEC. 1601. REQUIREMENT REGARDING WOMEN AND INDIVIDUALS FROM DISADVANTAGED BACKGROUNDS.

Section 487(a) of the Public Health Service Act (42 U.S.C. 288(a)(4)) is amended by adding at the end the following paragraph:

"(4) The Secretary shall carry out paragraph (1) in a manner that will result in the recruitment of women, and individuals from disadvantaged backgrounds, into fields of biomedical or behavioral research and in the provision of research training to women and such individuals."

Subtitle B—Acquired Immune Deficiency Syndrome

SEC. 1611. LOAN REPAYMENT PROGRAM.

Section 487A of the Public Health Service Act (42 U.S.C. 288-1) is amended to read as follows:

"LOAN REPAYMENT PROGRAM FOR RESEARCH WITH RESPECT TO ACQUIRED IMMUNE DEFICIENCY SYNDROME

"SEC. 487A. (a) IN GENERAL.—

"(1) AUTHORITY FOR PROGRAM.—Subject to paragraph (2), the Secretary shall carry out a program of entering into agreements with appropriately qualified health professionals under which such health professionals agree to conduct, as employees of the National Institutes of Health, research with respect to acquired immune deficiency syndrome in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of such health professionals.

"(2) LIMITATION.—The Secretary may not enter into an agreement with a health professional pursuant to paragraph (1) unless such professional—

"(A) has a substantial amount of educational loans relative to income; and

"(B) agrees to serve as an employee of the National Institutes of Health for purposes of paragraph (1) for a period of not less than 3 years.

"(b) **APPLICABILITY OF CERTAIN PROVISIONS.**—With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III, the provisions of such subpart shall, except as inconsistent with subsection (a) of this section, apply to the program established in such subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program established in such subpart.

"(c) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1996."

Subtitle C—Loan Repayment for Research Generally

SEC. 1621. ESTABLISHMENT OF PROGRAM.

Part G of title IV of the Public Health Service Act, as redesignated by section 141(a)(2) of this Act and as amended by section 1002 of this Act, is amended by inserting after section 487B the following new section:

"LOAN REPAYMENT PROGRAM FOR RESEARCH GENERALLY

"SEC. 487C. (a) IN GENERAL.

"(1) **AUTHORITY FOR PROGRAM.**—Subject to paragraph (2), the Secretary shall carry out a program of entering into agreements with appropriately qualified health professionals under which such health professionals agree to conduct research, as employees of the National Institutes of Health, in consideration of the Federal Government agreeing to repay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of such health professionals.

"(2) **LIMITATION.**—The Secretary may not enter into an agreement with a health professional pursuant to paragraph (1) unless such professional—

"(A) has a substantial amount of educational loans relative to income; and

"(B) agrees to serve as an employee of the National Institutes of Health for purposes of paragraph (1) for a period of not less than 3 years.

"(b) **APPLICABILITY OF CERTAIN PROVISIONS.**—With respect to the National Health Service Corps Loan Repayment Program established in subpart III of part D of title III, the provisions of such subpart shall, except as inconsistent with subsection (a) of this section, apply to the program established in such subsection (a) in the same manner and to the same extent as such provisions apply to the National Health Service Corps Loan Repayment Program established in such subpart.

"(c) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section other than with respect to acquired immune deficiency syndrome, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1996."

Subtitle D—Scholarship and Loan Repayment Programs Regarding Professional Skills Needed by Certain Agencies

SEC. 1631. ESTABLISHMENT OF PROGRAMS FOR NATIONAL INSTITUTES OF HEALTH.

Part G of title IV of the Public Health Service Act, as redesignated by section 141(a)(2) of this Act and as amended by section 1621 of this Act, is amended by inserting after section 487C the following new sections:

"UNDERGRADUATE SCHOLARSHIP PROGRAM REGARDING PROFESSIONS NEEDED BY NATIONAL RESEARCH INSTITUTES

"SEC. 487D. (a) ESTABLISHMENT OF PROGRAM.

"(1) **IN GENERAL.**—Subject to section 487(a)(1)(C), the Secretary, acting through the Director of NIH, may carry out a program of entering into contracts with individuals described in paragraph (2) under which—

"(A) the Director of NIH agrees to provide to the individuals scholarships for pursuing, as undergraduates at accredited institutions of higher education, academic programs appropriate for careers in professions needed by the National Institutes of Health; and

"(B) the individuals agree to serve as employees of the National Institutes of Health, for the period described in subsection (c), in positions that are needed by the National Institutes of Health and for which the individuals are qualified.

"(2) **INDIVIDUALS FROM DISADVANTAGED BACKGROUNDS.**—The individuals referred to in paragraph (1) are individuals who—

"(A) are enrolled or accepted for enrollment as full-time undergraduates at accredited institutions of higher education; and

"(B) are from disadvantaged backgrounds.

"(b) **FACILITATION OF INTEREST OF STUDENTS IN CAREERS AT NATIONAL INSTITUTES OF HEALTH.**—In providing employment to individuals pursuant to contracts under subsection (a)(1), the Director of NIH shall carry out activities to facilitate the interest of the individuals in pursuing careers as employees of the National Institutes of Health.

"(c) PERIOD OF OBLIGATED SERVICE.

"(1) **DURATION OF SERVICE.**—For purposes of subparagraph (B) of subsection (a)(1), the period of service for which an individual is obligated to serve as an employee of the National Institutes of Health is, subject to paragraph (2)(A), 12 months for each academic year for which the scholarship under such subsection is provided.

"(2) SCHEDULE FOR SERVICE.

"(A) Subject to subparagraph (B), the Director of NIH may not provide a scholarship under subsection (a) unless the individual applying for the scholarship agrees that—

"(i) the individual will serve as an employee of the National Institutes of Health full-time for not less than 10 consecutive weeks of each year during which the individual is attending the educational institution involved and receiving such a scholarship;

"(ii) the period of service as such an employee that the individual is obligated to provide under clause (i) is in addition to the period of service as such an employee that the individual is obligated to provide under subsection (a)(1)(B); and

"(iii) not later than 60 days after obtaining the educational degree involved, the individual will begin serving full-time as such an employee in satisfaction of the period of service that the individual is obligated to provide under subsection (a)(1)(B).

"(B) The Director of NIH may defer the obligation of an individual to provide a period of service under subsection (a)(1)(B), if the Director determines that such a deferral is appropriate.

"(3) **APPLICABILITY OF CERTAIN PROVISIONS RELATING TO APPOINTMENT AND COMPENSATION.**—For any period in which an individual provides service as an employee of the National Institutes of Health in satisfaction of the obligation of the individual under subsection (a)(1)(B) or paragraph (2)(A)(i), the individual may be appointed as such an employee without regard to the provisions of title 5, United States Code, relating to appointment and compensation.

"(d) PROVISIONS REGARDING SCHOLARSHIP.

"(1) **APPROVAL OF ACADEMIC PROGRAM.**—The Director of NIH may not provide a scholarship under subsection (a) for an academic year unless—

"(A) the individual applying for the scholarship has submitted to the Director a proposed academic program for the year and the Director has approved the program; and

"(B) the individual agrees that the program will not be altered without the approval of the Director.

"(2) **ACADEMIC STANDING.**—The Director of NIH may not provide a scholarship under subsection (a) for an academic year unless the individual applying for the scholarship agrees to maintain an acceptable level of academic standing, as determined by the educational institution involved in accordance with regulations issued by the Secretary.

"(3) **LIMITATION ON AMOUNT.**—The Director of NIH may not provide a scholarship under subsection (a) for an academic year in an amount exceeding \$20,000.

"(4) **AUTHORIZED USES.**—A scholarship provided under subsection (a) may be expended only for tuition expenses, other reasonable educational expenses, and reasonable living expenses incurred in attending the school involved.

"(5) **CONTRACT REGARDING DIRECT PAYMENTS TO INSTITUTION.**—In the case of an institution of higher education with respect to which a scholarship under subsection (a) is provided, the Director of NIH may enter into a contract with the institution under which the amounts provided in the scholarship for tuition and other educational expenses are paid directly to the institution.

"(e) **PENALTIES FOR BREACH OF SCHOLARSHIP CONTRACT.**—The provisions of section 338E shall apply to the program established in subsection (a) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in section 338B.

"(f) **REQUIREMENT OF APPLICATION.**—The Director of NIH may not provide a scholarship under subsection (a) unless an application for the scholarship is submitted to the Director and the application is in such form, is made in such manner, and contains such agreements, assurances, and information as the Director determines to be necessary to carry out this section.

"(g) **AVAILABILITY OF AUTHORIZATION OF APPROPRIATIONS.**—Amounts appropriated for a fiscal year for scholarships under this section shall remain available until the expiration of the second fiscal year beginning after the fiscal year for which the amounts were appropriated.

"LOAN REPAYMENT PROGRAM REGARDING CLINICAL RESEARCHERS FROM DISADVANTAGED BACKGROUNDS

"SEC. 487E. (a) IMPLEMENTATION OF PROGRAM.

"(1) **IN GENERAL.**—Subject to section 487(a)(1)(C), the Secretary, acting through the Director of NIH may, subject to paragraph (2), carry out a program of entering into contracts with appropriately qualified health professionals who are from disadvantaged backgrounds under which such health professionals agree to conduct clinical research as employees of the National Institutes of Health in consideration of the Federal Government agreeing to pay, for each year of such service, not more than \$20,000 of the principal and interest of the educational loans of the health professionals.

"(2) **LIMITATION.**—The Director of NIH may not enter into a contract with a health professional pursuant to paragraph (1) unless such professional has a substantial amount of education loans relative to income.

"(3) **APPLICABILITY OF CERTAIN PROVISIONS REGARDING OBLIGATED SERVICE.**—Except to the extent inconsistent with this section, the provisions of sections 338C and 338E shall apply to the program established in paragraph (1) to the same extent and in the same manner as such provisions apply to the National Health Service Corps Loan Repayment Program established in section 338B.

"(b) **AVAILABILITY OF AUTHORIZATION OF APPROPRIATIONS.**—Amounts appropriated for a fiscal year for contracts under subsection (a) shall remain available until the expiration of the second

and fiscal year beginning after the fiscal year for which the amounts were appropriated."

SEC. 1632. FUNDING.

Section 487(a)(1) of the Public Health Service Act (42 U.S.C. 288(a)(1)) is amended—

(1) in subparagraph (A), by striking "and" after the semicolon at the end;

(2) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(3) by inserting after subparagraph (B) the following new subparagraph:

"(C) provide contracts for scholarships and loan repayments in accordance with sections 487D and 487E, subject to providing not more than an aggregate 50 such contracts during the fiscal years 1994 through 1996."

Subtitle E—Funding

SEC. 1641. AUTHORIZATION OF APPROPRIATIONS.

Section 487(d) of the Public Health Service Act (42 U.S.C. 288(d)) is amended—

(1) in the first sentence, by amending the sentence to read as follows: "For the purpose of carrying out this section, there are authorized to be appropriated \$400,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 and 1996."; and

(2) in paragraph (3)—

(A) by striking "one-half of one percent" each place such term appears and inserting "1 percent"; and

(B) by striking "780, 784, or 786," and inserting "747, 748, or 749."

TITLE XVII—NATIONAL FOUNDATION FOR BIOMEDICAL RESEARCH

SEC. 1701. DATE CERTAIN FOR APPOINTMENT OF BOARD MEMBERS.

Section 499 of the Public Health Service Act, as redesignated by section 121(b)(3) of this Act, is amended in subsection (c)(1)(C) by inserting after and below clause (iii) the following:

"Not later than April 1, 1993, the Secretary shall convene a meeting of the ex officio members of the Board for the purpose of making the appointments required in this subparagraph."

SEC. 1702. MISCELLANEOUS PROVISIONS.

Section 499 of the Public Health Service Act, as redesignated by section 121(b)(3) of this Act, is amended—

(1) in subsection (a)—

(A) in the first sentence, by inserting after "Secretary" the following: ", acting through the Director of NIH."; and

(B) in the second sentence, by striking "the purposes of" and all that follows through "Transfer Act," and inserting the following: "the purposes of the Ethics in Government Act of 1978 and the Stevenson-Wylder Technology Innovation Act of 1980.";

(2) in subsection (b)(2), by striking "Ethics" and all that follows and inserting the following: "Ethics in Government Act of 1978, and the Stevenson-Wylder Technology Innovation Act of 1980.";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A), in the second sentence, by inserting ", except the ex officio members," after "Foundation";

(ii) in subparagraph (B), in the matter preceding clause (i), by striking "Council" and inserting "Board"; and

(iii) in subparagraph (C), in the first sentence, by striking "Council" and inserting "Board"; and

(B) in paragraph (3)(A), by striking "paragraph (2)(C)" and inserting "paragraph (1)(C)";

(4) in subsection (g)(8), by striking "subtitle" and inserting "part"; and

(5) in subsection (i)(1), by striking "1995" and inserting "1996".

TITLE XVIII—RESEARCH WITH RESPECT TO ACQUIRED IMMUNE DEFICIENCY SYNDROME

Subtitle A—Office of AIDS Research

SEC. 1801. ESTABLISHMENT OF OFFICE.

(a) IN GENERAL.—Part D of title XXIII of the Public Health Service Act (42 U.S.C. 300cc-41 et seq.) is amended—

(1) by striking the part designation and the heading for the part;

(2) by redesignating section 2351 as section 2354; and

(3) by inserting before section 2354 (as so redesignated) the following:

"PART D—OFFICE OF AIDS RESEARCH

"Subpart I—Interagency Coordination of Activities

"SEC. 2351. ESTABLISHMENT OF OFFICE.

"(a) IN GENERAL.—There is established within the National Institutes of Health an office to be known as the Office of AIDS Research. The Office shall be headed by a director, who shall be appointed by the Secretary.

"(b) DUTIES.—

"(1) INTERAGENCY COORDINATION OF AIDS ACTIVITIES.—With respect to acquired immune deficiency syndrome, the Director of the Office shall plan, coordinate, and evaluate research and other activities conducted or supported by the agencies of the National Institutes of Health.

"(2) CONSULTATIONS.—The Director of the Office shall carry out this subpart (including developing and revising the plan required in section 2353) in consultation with the heads of the agencies of the National Institutes of Health, with the advisory councils of the agencies, and with the advisory council established under section 2352.

"SEC. 2352. ADVISORY COUNCIL.

"(a) IN GENERAL.—The Secretary shall establish an advisory council for the purpose of providing advice to the Director of the Office on carrying out this part. (Such council is referred to in this section as the "Advisory Council".)

"(b) COMPOSITION, COMPENSATION, TERMS, CHAIR, ETC.—Subsections (b) through (g) of section 406 apply to the Advisory Council to the same extent and in the same manner as such subsections apply to advisory councils for the national research institutes, except that, in addition to the ex officio members specified in section 406(b)(2), there shall serve as ex officio members of the Advisory Council the chairs of the advisory councils for each of the National Cancer Institute, the National Institute on Allergy and Infectious Diseases, the National Institute on Drug Abuse, and the National Institute on Mental Health.

"SEC. 2353. COMPREHENSIVE PLAN FOR EXPENDITURE OF APPROPRIATIONS.

"(a) IN GENERAL.—Subject to the provisions of this section and other applicable law, the Director of the Office, in carrying out section 2351, shall—

"(1) establish a comprehensive plan for the conduct and support of all AIDS activities of the agencies of the National Institutes of Health (which plan shall be first established under this paragraph not later than 12 months after the date of the enactment of the National Institutes of Health Revitalization Act of 1993);

"(2) ensure that the Plan establishes priorities among the AIDS activities that such agencies are authorized to carry out;

"(3) ensure that the Plan establishes objectives regarding such activities, describes the means for achieving the objectives, and designates the date by which the objectives are expected to be achieved;

"(4) ensure that all amounts appropriated for such activities are expended in accordance with the Plan;

"(5) review the Plan not less than annually, and revise the Plan as appropriate; and

"(6) ensure that the Plan serves as a broad, binding statement of policies regarding AIDS activities of the agencies, but does not remove the responsibility of the heads of the agencies for the approval of specific programs or projects, or for other details of the daily administration of such activities, in accordance with the Plan.

"(b) CERTAIN COMPONENTS OF PLAN.—With respect to AIDS activities of the agencies of the National Institutes of Health, the Director of the Office shall ensure that the Plan—

"(1) provides for basic research;

"(2) provides for applied research;

"(3) provides for research that is conducted by the agencies;

"(4) provides for research that is supported by the agencies;

"(5) provides for proposals developed pursuant to solicitations by the agencies and for proposals developed independently of such solicitations; and

"(6) provides for behavioral research and social sciences research.

"(c) BUDGET ESTIMATES.—

"(1) FULL-FUNDING BUDGET.—

"(A) With respect to a fiscal year, the Director of the Office shall prepare and submit directly to the President, for review and transmittal to the Congress, a budget estimate for carrying out the Plan for the fiscal year, after reasonable opportunity for comment (but without change) by the Secretary, the Director of the National Institutes of Health, and the advisory council established under section 2352. The budget estimate shall include an estimate of the number and type of personnel needs for the Office.

"(B) The budget estimate submitted under subparagraph (A) shall estimate the amounts necessary for the agencies of the National Institutes of Health to carry out all AIDS activities determined by the Director of the Office to be appropriate, without regard to the probability that such amounts will be appropriated.

"(2) ALTERNATIVE BUDGETS.—

"(A) With respect to a fiscal year, the Director of the Office shall prepare and submit to the Secretary and the Director of the National Institutes of Health the budget estimates described in subparagraph (B) for carrying out the Plan for the fiscal year. The Secretary and such Director shall consider each of such estimates in making recommendations to the President regarding a budget for the Plan for such year.

"(B) With respect to the fiscal year involved, the budget estimates referred to in subparagraph (A) for the Plan are as follows:

"(i) The budget estimate submitted under paragraph (1).

"(ii) A budget estimate developed on the assumption that the amounts appropriated will be sufficient only for—

"(I) continuing the conduct by the agencies of the National Institutes of Health of existing AIDS activities (if approved for continuation), and continuing the support of such activities by the agencies in the case of projects or programs for which the agencies have made a commitment of continued support; and

"(II) carrying out, of activities that are in addition to activities specified in subclause (I), only such activities for which the Director determines there is the most substantial need.

"(iii) Such other budget estimates as the Director of the Office determines to be appropriate.

"(d) FUNDING.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out AIDS activities under the Plan, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1996.

"(2) DIRECT RECEIPT BY DIRECTOR OF NATIONAL INSTITUTES OF HEALTH.—For the first fiscal year beginning after the date on which the Plan first established under section 2353(a)(1)

has been in effect for 12 months, and for each subsequent fiscal year, the Director of the National Institutes of Health shall receive directly from the President and the Director of the Office of Management and Budget all funds available for AIDS activities of the National Institutes of Health.

"(3) DISBURSEMENT TO AGENCIES.—"

"(A) With respect to the disbursement by the Director of the National Institutes of Health of amounts for carrying out AIDS activities specified in subsection (c)(2)(B)(ii)(I) for the fiscal year involved, the Director shall, to the extent practicable, disburse all of such amounts to the agencies of such Institutes not later than 30 days after the date on which the Director receives amounts under paragraph (2).

"(B) With respect to the disbursement by the Director of the National Institutes of Health of amounts for carrying out AIDS activities of the National Institutes of Health in addition to the activities specified in subparagraph (A) for the fiscal year, the Director shall, to the extent practicable, disburse all of such amounts to the agencies of the National Institutes of Health not later than 90 days after the date on which the Director receives amounts under paragraph (2)."

(b) **CONFORMING AMENDMENTS.**—Section 2354 of the Public Health Service Act, as redesignated by subsection (a)(2) of this section, is amended—

(1) in the heading for the section, by striking **"ESTABLISHMENT OF"** and inserting **"ADDITIONAL"**;

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking "In carrying out" and all that follows and inserting the following: "In carrying out AIDS research, the Director of the Office—";

(B) by striking paragraphs (1) and (2) and redesignating paragraphs (3) through (8) as paragraphs (1) through (6);

(C) in paragraph (3) (as so redesignated), by striking "may" and all that follows in the matter preceding subparagraph (A) and inserting the following: "may support—";

(D) in paragraph (5) (as so redesignated)—

(i) in subparagraph (A)—

"(I) by striking "may" and all that follows through "acquire," and inserting "may acquire,"; and

"(II) by striking "Director" and all that follows through "determines" and inserting "Director of the Office determines";

(ii) in subparagraph (B), by striking "may" and all that follows through "make grants" and inserting "may make grants"; and

(iii) in subparagraph (C), by striking "may" and all that follows through "acquire," and inserting "may acquire,"; and

(E) in each of paragraphs (2), (3)(A), and (4) (as so redesignated), by striking "research relating to acquired immune deficiency syndrome" and inserting "AIDS research";

(3) in subsection (b), in the matter preceding paragraph (1), by striking "The Director" and all that follows through "shall" and inserting "The Director of the Office shall"; and

(4) in subsection (c), by striking "the Director" and all that follows through "shall" and inserting "the Director of the Office shall".

SEC. 1802. ESTABLISHMENT OF EMERGENCY DISCRETIONARY FUND.

Part D of title XXIII of the Public Health Service Act, as amended by section 1801 of this Act, is amended by adding at the end the following subpart:

"Subpart II—Emergency Discretionary Fund

"SEC. 2356. EMERGENCY DISCRETIONARY FUND.

"(a) IN GENERAL.—"

"(1) **ESTABLISHMENT.**—There is established a fund consisting of such amounts as may be appropriated under subsection (g). Subject to the

provisions of this section, the Director of the Office, after consultation with the advisory council established under section 2352, may expend amounts in the Fund for the purpose of conducting and supporting such projects of AIDS research and other AIDS activities as may be authorized in this Act for the National Institutes of Health.

"(2) **PRECONDITIONS TO USE OF FUND.**—Amounts in the Fund may be expended for an AIDS project only if—

"(A) the Director of the Office has made a determination that there is a significant need for the project; and

"(B) as of June 30 of the fiscal year preceding the fiscal year in which the determination is made, such need was not provided for in any appropriations Act passed by the House of Representatives to make appropriations for the Departments of Labor, Health and Human Services (including the National Institutes of Health), Education, and related agencies for the fiscal year in which the determination is made.

"(3) **TWO-YEAR USE OF FUND FOR PROJECT INVOLVED.**—In the case of an AIDS project, obligations of amounts in the Fund may not be made for the project after the expiration of the 2-year period beginning on the date on which the initial obligation of such amounts is made for the project.

"(b) **PEER REVIEW.**—With respect to an AIDS project carried out with amounts in the Fund, this section may not be construed as waiving applicable requirements for peer review.

"(c) **LIMITATIONS ON USE OF FUND.**—

"(1) **CONSTRUCTION OF FACILITIES.**—Amounts in the Fund may not be used for the construction, renovation, or relocation of facilities, or for the acquisition of land.

"(2) **CONGRESSIONAL DISAPPROVAL OF PROJECTS.**—

"(A) Amounts in the Fund may not be expended for the fiscal year involved for an AIDS project, or category of such projects, for which—

"(i)(I) amounts were made available in an appropriations Act for the preceding fiscal year; and

"(II) amounts are not made available in any appropriations Act for the fiscal year involved; or

"(ii) amounts are by law prohibited from being expended.

"(B) A determination under subparagraph (A)(i) of whether amounts have been made available in appropriations Acts for a fiscal year shall be made without regard to whether such Acts make available amounts for the Fund.

"(3) **INVESTMENT OF FUND AMOUNTS.**—Amounts in the Fund may not be invested.

"(d) **APPLICABILITY OF LIMITATION REGARDING NUMBER OF EMPLOYEES.**—The purposes for which amounts in the Fund may be expended include the employment of individuals necessary to carry out AIDS projects approved under subsection (a). Any individual employed under the preceding sentence may not be included in any determination of the number of full-time equivalent employees for the Department of Health and Human Services for the purpose of any limitation on the number of such employees established by law prior to, on, or after the date of the enactment of the National Institutes of Health Revitalization Act of 1993.

"(e) **REPORT TO CONGRESS.**—Not later than February 1 of each fiscal year, the Director of the Office shall submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report on the AIDS projects carried out during the preceding fiscal year with amounts in the Fund. The report shall provide a description of each such project and an explanation of the reasons underlying the use of the Fund for the project.

"(f) **DEFINITIONS.**—For purposes of this section:

"(1) The term 'AIDS project' means a project described in subsection (a).

"(2) The term 'Fund' means the fund established in subsection (a).

"(g) **FUNDING.**—

"(1) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of providing amounts for the Fund, there is authorized to be appropriated \$100,000,000 for each of the fiscal years 1994 through 1996.

"(2) **AVAILABILITY.**—Amounts appropriated for the Fund are available until expended."

SEC. 1803. GENERAL PROVISIONS.

Part D of title XXIII of the Public Health Service Act, as amended by section 1802 of this Act, is amended by adding at the end the following subpart:

"Subpart III—General Provisions

"SEC. 2359. GENERAL PROVISIONS REGARDING THE OFFICE.

"(a) **ADMINISTRATIVE SUPPORT FOR OFFICE.**—The Secretary, acting through the Director of the National Institutes of Health, shall provide administrative support and support services to the Director of the Office.

"(b) **DEFINITIONS.**—For purposes of this part:

"(1) The term 'AIDS activities' means AIDS research and other activities that relate to acquired immune deficiency syndrome.

"(2) The term 'AIDS research' means research with respect to acquired immune deficiency syndrome.

"(3) The term 'Office' means the Office of AIDS Research.

"(4) The term 'Plan' means the plan required in section 2353(a)(1)."

Subtitle B—Certain Programs

SEC. 1811. REVISION AND EXTENSION OF CERTAIN PROGRAMS.

Title XXIII of the Public Health Service Act (42 U.S.C. 300cc et seq.) is amended—

(1) in section 2304(c)(1)—

(A) in the matter preceding subparagraph (A), by inserting after "Director of such Institute" the following: "(and may provide advice to the Directors of other agencies of the National Institutes of Health, as appropriate)"; and

(B) in subparagraph (A), by inserting before the semicolon the following: "including recommendations on the projects of research with respect to diagnosing immune deficiency and with respect to predicting, diagnosing, preventing, and treating opportunistic cancers and infectious diseases";

(2) in section 2311(a)(1), by inserting before the semicolon the following: "including evaluations of methods of diagnosing immune deficiency and evaluations of methods of predicting, diagnosing, preventing, and treating opportunistic cancers and infectious diseases";

(3) in section 2315—

(A) in subsection (a)(2), by striking "international research" and all that follows and inserting "international research and training concerning the natural history and pathogenesis of the human immunodeficiency virus and the development and evaluation of vaccines and treatments for acquired immune deficiency syndrome and opportunistic infections."; and

(B) in subsection (f), by striking "there are authorized" and all that follows and inserting "there are authorized to be appropriated such sums as may be necessary for each fiscal year.";

(4) in section 2318—

(A) in subsection (a)(1)—

(i) by inserting after "The Secretary" the following: "acting through the Director of the National Institutes of Health and after consultation with the Administrator for Health Care Policy and Research,"; and

(ii) by striking "syndrome" and inserting "syndrome, including treatment and prevention

of HIV infection and related conditions among women"; and

(B) in subsection (e), by striking "1991." and inserting the following: "1991, and such sums as may be necessary for each of the fiscal years 1994 through 1996.";

(5) in section 2320(b)(1)(A), by striking "syndrome" and inserting "syndrome and the natural history of such infection";

(6) in section 2320(e)(1), by striking "there are authorized" and all that follows and inserting "there are authorized to be appropriated such sums as may be necessary for each fiscal year.";

(7) in section 2341(d), by striking "there are authorized" and all that follows and inserting "there are authorized to be appropriated such sums as may be necessary for each fiscal year.";

(8) in section 2361, by striking "For purposes" and all that follows and inserting the following: "For purposes of this title:

"(1) The term 'infection', with respect to the etiologic agent for acquired immune deficiency syndrome, includes opportunistic cancers and infectious diseases and any other conditions arising from infection with such etiologic agent.

"(2) The term 'treatment', with respect to the etiologic agent for acquired immune deficiency syndrome, includes primary and secondary prophylaxis."

TITLE XIX—STUDIES

SEC. 1901. ACQUIRED IMMUNE DEFICIENCY SYNDROME.

(a) **THIRD-PARTY PAYMENTS REGARDING CERTAIN CLINICAL TRIALS.**—The Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall conduct a study for the purpose of—

(1) determining the policies of third-party payors regarding the payment of the costs of appropriate health services that are provided incident to the participation of individuals as subjects in clinical trials conducted in the development of drugs with respect to acquired immune deficiency syndrome; and

(2) developing recommendations regarding such policies.

(b) **ADVISORY COMMITTEES.**—The Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall conduct a study for the purpose of determining—

(1) whether the activities of the various advisory committees established in the National Institutes of Health regarding acquired immune deficiency syndrome are being coordinated sufficiently; and

(2) whether the functions of any of such advisory committees should be modified in order to achieve greater efficiency.

(c) **VACCINES FOR HUMAN IMMUNODEFICIENCY VIRUS.**—

(1) **IN GENERAL.**—The Secretary of Health and Human Services, acting through the National Institutes of Health, shall develop a plan for the appropriate inclusion of HIV-infected women, including pregnant women, HIV-infected infants, and HIV-infected children in studies conducted by or through the National Institutes of Health concerning the safety and efficacy of HIV vaccines for the treatment and prevention of HIV infection. Such plan shall ensure the full participation of other Federal agencies currently conducting HIV vaccine studies and require that such studies conform fully to the requirements of part 46 of title 45, Code of Federal Regulations.

(2) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report concerning the plan developed under paragraph (1).

(3) **IMPLEMENTATION.**—Not later than 12 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall implement the plan developed under paragraph (1), including measures for the full participation of other Federal agencies currently conducting HIV vaccine studies.

(4) For the purpose of carrying out this subsection, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1994 through 1996.

SEC. 1902. MALNUTRITION IN THE ELDERLY.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Secretary of Health and Human Services (referred to in this section as the "Secretary"), acting through the National Institute on Aging, coordinating with the Agency for Health Care Policy and Research and, to the degree possible, in consultation with the head of the National Nutrition Monitoring System established under section 1428 of the Food and Agriculture Act of 1977 (7 U.S.C. 3178), shall conduct a 3-year nutrition screening and intervention activities study of the elderly.

(2) **EFFICACY AND COST-EFFECTIVENESS OF NUTRITION SCREENING AND INTERVENTION ACTIVITIES.**—In conducting the study, the Secretary shall determine the efficacy and cost-effectiveness of nutrition screening and intervention activities conducted in the elderly health and long-term care continuum, and of a program that would institutionalize nutrition screening and intervention activities. In evaluating such a program, the Secretary shall determine—

(A) if health or quality of life is measurably improved for elderly individuals who receive routine nutritional screening and treatment;

(B) if federally subsidized home or institutional care is reduced because of increased independence of elderly individuals resulting from improved nutritional status;

(C) if a multidisciplinary approach to nutritional care is effective in addressing the nutritional needs of elderly individuals; and

(D) if reimbursement for nutrition screening and intervention activities is a cost-effective approach to improving the health status of elderly individuals.

(3) **POPULATIONS.**—The populations of elderly individuals in which the study will be conducted shall include populations of elderly individuals who are—

(A) living independently, including—

(i) individuals who receive home and community-based services or family support;

(ii) individuals who do not receive additional services and support;

(iii) individuals with low incomes; and

(iv) individuals who are minorities;

(B) hospitalized, including individuals admitted from home and from institutions; and

(C) institutionalized in residential facilities such as nursing homes and adult homes.

(b) **MALNUTRITION STUDY.**—The Secretary, acting through the National Institute on Aging, shall conduct a 3-year study to determine the extent of malnutrition in elderly individuals in hospitals and long-term care facilities and in elderly individuals who are living independently.

(c) **REPORT.**—The Secretary shall submit a report to the Committee on Labor and Human Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives containing the findings resulting from the studies described in subsections (a) and (b), including a determination regarding whether a program that would institutionalize nutrition screening and intervention activities should be adopted, and the rationale for the determination.

(d) **ADVISORY PANEL.**—

(1) **ESTABLISHMENT.**—The Secretary, acting through the Director of the National Institute on Aging, shall establish an advisory panel that

shall oversee the design, implementation, and evaluation of the studies described in subsections (a) and (b).

(2) **COMPOSITION.**—The advisory panel shall include representatives appointed for the life of the panel by the Secretary from the Health Care Financing Administration, the Social Security Administration, the National Center for Health Statistics, the Administration on Aging, the National Council on the Aging, the American Dietetic Association, the American Academy of Family Physicians, and such other agencies or organizations as the Secretary determines to be appropriate.

(3) **COMPENSATION AND EXPENSES.**—

(A) **COMPENSATION.**—Each member of the advisory panel who is not an employee of the Federal Government shall receive compensation at the daily equivalent of the rate specified for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day the member is engaged in the performance of duties for the advisory panel, including attendance at meetings and conferences of the panel, and travel to conduct the duties of the panel.

(B) **TRAVEL EXPENSES.**—Each member of the advisory panel shall receive travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(4) **DETAIL OF FEDERAL EMPLOYEES.**—On the request of the advisory panel, the head of any Federal agency shall detail, without reimbursement, any of the personnel of the agency to the advisory panel to assist the advisory panel in carrying out its duties. Any detail shall not interrupt or otherwise affect the civil service status or privileges of the Federal employee.

(5) **TECHNICAL ASSISTANCE.**—On the request of the advisory panel, the head of a Federal agency shall provide such technical assistance to the advisory panel as the advisory panel determines to be necessary to carry out its duties.

(6) **TERMINATION.**—Notwithstanding section 15 of the Federal Advisory Committee Act (5 U.S.C. App.), the advisory panel shall terminate 3 years after the date of enactment of this Act.

SEC. 1903. RESEARCH ACTIVITIES ON CHRONIC FATIGUE SYNDROME.

The Secretary of Health and Human Services shall, not later than May 1, 1993, and annually thereafter for the next 3 years, prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Labor and Human Resources of the Senate, a report that summarizes the research activities conducted or supported by the National Institutes of Health concerning chronic fatigue syndrome. Such report should include information concerning grants made, cooperative agreements or contracts entered into, intramural activities, research priorities and needs, and a plan to address such priorities and needs.

SEC. 1904. REPORT ON MEDICAL USES OF BIOLOGICAL AGENTS IN DEVELOPMENT OF DEFENSES AGAINST BIOLOGICAL WARFARE.

The Secretary of Health and Human Services, in consultation with other appropriate executive agencies, shall report to the House Energy and Commerce Committee and the Senate Labor and Human Resources Committee on the appropriateness and impact of the National Institutes of Health assuming responsibility for the conduct of all Federal research, development, testing, and evaluation functions relating to medical countermeasures against biowarfare threat agents. In preparing the report, the Secretary shall identify the extent to which such activities are carried out by agencies other than the National Institutes of Health, and assess the im-

pact (positive and negative) of the National Institutes of Health assuming responsibility for such activities, including the impact under the Budget Enforcement Act and the Omnibus Budget Reconciliation Act of 1990 on existing National Institutes of Health research programs as well as other programs within the category of domestic discretionary spending. The Secretary shall submit the report not later than 12 months after the date of the enactment of this Act.

SEC. 1905. PERSONNEL STUDY OF RECRUITMENT, RETENTION AND TURNOVER.

(a) **STUDY OF PERSONNEL SYSTEM.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall conduct a study to review the retention, recruitment, vacancy and turnover rates of support staff, including firefighters, law enforcement, procurement officers, technicians, nurses and clerical employees, to ensure that the National Institutes of Health is adequately supporting the conduct of efficient, effective and high quality research for the American public. The Director of NIH shall work in conjunction with appropriate employee organizations and representatives in developing such a study.

(b) **SUBMISSION TO CONGRESS.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report containing the study conducted under subsection (a) together with the recommendations of the Secretary concerning the enactment of legislation to implement the results of such study.

SEC. 1906. PROCUREMENT.

(a) **IN GENERAL.**—The Director of the National Institutes of Health and the Administrator of the General Services Administration shall jointly conduct a study to develop a streamlined procurement system for the National Institutes of Health that complies with the requirements of Federal law.

(b) **REPORT.**—Not later than March 1, 1994, the officials specified in subsection (a) shall complete the study required in such subsection and shall submit to the Committee on Energy and Commerce of the House of Representatives, and the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

SEC. 1907. CHRONIC PAIN CONDITIONS.

(a) **IN GENERAL.**—The Director of the National Institutes of Health (in this section referred to as the "Director"), acting through the Director of the National Institute of Dental Research and as appropriate through the heads of other agencies of such Institutes, shall conduct a study for the purpose of determining the incidence in the United States of cases of chronic pain and the effect of such cases on the costs of health care in the United States.

(b) **CERTAIN ELEMENTS OF STUDY.**—The cases of chronic pain with respect to which the study required in subsection (a) is conducted shall include reflex sympathetic dystrophy syndrome, temporomandibular joint disorder, post-herpetic neuropathy, painful diabetic neuropathy, phantom pain, and post-stroke pain.

(c) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Director shall complete the study required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

SEC. 1908. BACK INJURIES.

(a) **IN GENERAL.**—The Director of the National Institutes of Health, acting through the appro-

priate national research institute, shall conduct a study of back injuries, with consideration of the following:

- (1) Accurate diagnosis, and the appropriate form of treatment.
- (2) Providing for return to employment as soon as is practicable.
- (3) Minimizing the probability of recurrence.
- (4) A comparison of conventional treatments and alternative treatments.
- (5) Costs to the health care system.
- (6) Costs to the economy generally.

(b) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Director of the National Institute of Health shall complete the study required in subsection (a) and submit to the Committee on Energy and Commerce of the House of Representatives, and to the Committee on Labor and Human Resources of the Senate, a report describing the findings made as a result of the study.

TITLE XX—MISCELLANEOUS PROVISIONS

SEC. 2001. DESIGNATION OF SENIOR BIOMEDICAL RESEARCH SERVICE IN HONOR OF SILVIO O. CONTE; LIMITATION ON NUMBER OF MEMBERS.

(a) **IN GENERAL.**—Section 228(a) of the Public Health Service Act (42 U.S.C. 237(a)), as added by section 304 of Public Law 101-509, is amended to read as follows:

"(a)(1) There shall be in the Public Health Service a Silvio O. Conte Senior Biomedical Research Service, not to exceed 750 members.

"(2) The authority established in paragraph (1) regarding the number of members in the Silvio O. Conte Senior Biomedical Research Service is in addition to any authority established regarding the number of members in the commissioned Regular Corps, in the Reserve Corps, and in the Senior Executive Service. Such paragraph may not be construed to require that the number of members in the commissioned Regular Corps, in the Reserve Corps, or in the Senior Executive Service be reduced to offset the number of members serving in the Silvio O. Conte Senior Biomedical Research Service (hereafter in this section referred to as the 'Service')."

(b) **CONFORMING AMENDMENT.**—Section 228 of the Public Health Service Act (42 U.S.C. 237), as added by section 304 of Public Law 101-509, is amended in the heading for the section by amending the heading to read as follows:

"SILVIO O. CONTE SENIOR BIOMEDICAL RESEARCH SERVICE".

SEC. 2002. MASTER PLAN FOR PHYSICAL INFRASTRUCTURE FOR RESEARCH.

Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services, acting through the Director of the National Institutes of Health, shall present to the Congress a master plan to provide for the replacement or refurbishment of less than adequate buildings, utility equipment and distribution systems (including the resources that provide electrical and other utilities, chilled water, air handling, and other services that the Secretary, acting through the Director, deems necessary), roads, walkways, parking areas, and grounds that underpin the laboratory and clinical facilities of the National Institutes of Health. Such plan may make recommendations for the undertaking of new projects that are consistent with the objectives of this section, such as encircling the National Institutes of Health Federal enclave with an adequate chilled water conduit.

SEC. 2003. CRYPTANALYTIC AUTHORIZATION OF APPROPRIATIONS.

Section 399L(a) of the Public Health Service Act (42 U.S.C. 280e-4(a)), as added by Public Law 102-515 (106 Stat. 3376), is amended—

(1) in the first sentence, by striking "the Secretary" and all that follows and inserting the

following: "there are authorized to be appropriated \$30,000,000 for fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1996."; and

(2) in the second sentence, by striking "Out of any amounts used" and inserting "Of the amounts appropriated under the preceding sentence".

SEC. 2004. BUY-AMERICAN PROVISIONS.

No funds appropriated pursuant to this Act may be used to fund a grant or contract unless the recipient agrees that substantially all goods and services acquired with such grant or contract assistance will be produced in the United States.

TITLE XXI—EFFECTIVE DATES

SEC. 2101. EFFECTIVE DATES.

Subject to section 165, this Act and the amendments made by this Act take effect upon the date of the enactment of this Act.

SEC. 2005. PROHIBITION AGAINST FURTHER FUNDING FOR PROJECT ARIES.

For fiscal year 1994 and each subsequent fiscal year, the project administered by the University of Washington at Seattle and known as Project Aries may not receive any funding from any agency of the National Institutes of Health, other than payments under awards made for fiscal year 1993 or prior fiscal years.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar bill (H.R. 4) was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF S. 1, NATIONAL INSTITUTES OF HEALTH REVITALIZATION ACT OF 1993

Mr. WAXMAN. Mr. Speaker, I ask unanimous consent that, in the engrossment of the House amendment to the Senate bill, S. 1, the Clerk of the House be authorized to correct section numbers, cross-references, punctuation, and indentation, and to make other technical and conforming changes necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

APPOINTMENT OF CONFEREES TO S. 1

Mr. WAXMAN. Mr. Speaker, pursuant to House Resolution 119, I offer a motion.

The Clerk read as follows:

Mr. WAXMAN moves that the House insist on its amendment to S. 1 and request a conference with the Senate thereon.

The motion was agreed to.

MOTION TO INSTRUCT CONFEREES OFFERED BY MR. BLILEY

Mr. BLILEY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. BLILEY moves that the managers on the part of the House at the committee of conference on the disagreeing votes of the two houses on the amendments of the House to the bill, S. 1, be instructed to agree to section 2011 of the Senate bill (relating to preventing the admission to the United States of aliens infected with the human immunodeficiency virus).

The SPEAKER pro tempore. The gentleman from Virginia [Mr. BLILEY] will

be recognized for 30 minutes, and the gentleman from California [Mr. WAXMAN] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Virginia [Mr. BLILEY].

Mr. BLILEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my motion is very simple. It instructs the conferees to agree to accept section 2011 of the Senate bill dealing with the immigration of individuals infected with the human immunodeficiency virus. I think it is important for Congress to deal with this issue because President Clinton has announced his intention to lift the ban through executive order.

This provision in the Senate bill would codify the current practice of testing immigrants for the HIV virus and excluding from immigration into the United States those individuals found to be infected. It also requires the President to submit a report by September 1, 1993 assessing the cost and impact of removing the ban on the immigration of infected individuals. Finally, this provision would provide for a 30-day waiver which will allow people to come into the country without testing if they are entering the country temporarily to: Receive medical treatment; attend educational or medical conferences; visit family members; conduct temporary business; or visit on vacation. In addition, the Attorney General would have the discretion to provide for other waivers.

This provision represents an important public health measure which will continue the current policy that has been in effect since 1987. The Clinton administration's proposal to reverse this immigration policy will add to an already overburdened and overwhelmed health care system.

Currently, the United States denies permanent immigration status to individuals with communicable diseases of public health significance such as leprosy, syphilis, and infectious tuberculosis. These diseases are treatable compared to AIDS which is always fatal.

Because HIV is always fatal, the public health consequences of allowing HIV individuals to immigrate is of the highest order. We have never before permitted immigration of those who were infected in the middle of an epidemic. We should not start now.

I ask my colleagues to support my motion.

Mr. Speaker, I am including at this point in the RECORD section 2011, "Admission to the United States of Aliens Infected With the AIDS Virus," as follows:

SEC. 2011. ADMISSION TO THE UNITED STATES OF ALIENS INFECTED WITH THE AIDS VIRUS.

(a) ADMISSION.—Notwithstanding any other provision of law, regulations or directives concerning the exclusion of aliens on health related grounds, infection with HIV, the human immunodeficiency virus, shall con-

stitute a communicable disease of public health significance for purposes of section 212(a)(1)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(A)(i)).

(b) REPORT REQUIRED.—The President shall submit a report by September 1, 1993, containing—

(1) an assessment of the anticipated costs of the admission to the United States of persons with HIV to public health care programs, including such costs as will be borne by States and municipalities, and private insurers and health care providers;

(2) an estimate of the number and origins of persons infected with HIV likely to seek entry into the United States before December 31, 2003;

(3) an assessment of the effectiveness of the Immigration and Nationality Act in preventing persons entering the United States likely to become a public charge, as well as the ability to enforce this Act with regard to persons infected with potentially costly health conditions including, but not limited to HIV;

(4) the cost implications of refugees entering or likely to enter the United States, who carry the HIV virus;

(5) a comparison of the anticipated public and private health care costs associated with aliens infected with HIV with the costs attributable to the entry of aliens suffering from other health conditions.

(c) HIV TESTING.—Except as otherwise provided in subsection (d) the Attorney General, in consultation with the Secretary of Health and Human Services, shall provide for the testing of aliens for infection with HIV in accordance with the policy in effect on January 1, 1993.

(d) WAIVER AUTHORITY.—Subsection (c) may be waived by the Attorney General, in consultation with the Secretary of Health and Human Services for non-immigrants who, except for the provisions of this Act, would be admissible to the United States, and who seek admission for 30 days or less for the purpose of—

(1) attending educational or medical conferences;

(2) receiving medical treatment;

(3) visiting close family members;

(4) conducting temporary business activities; or

(5) visiting for pleasure (tourism);

and in addition such non-immigrants may be admitted without questions as to whether they are carriers of the HIV virus, at the discretion of the Attorney General.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Secretary of HHS to prescribe regulations concerning communicable diseases of public health significance, other than infection with the human immunodeficiency virus in accordance with section 212(a)(1)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(A)(i)).

Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am going to support this amendment, or this proposal, for instructing of conferees, because I believe the Members of the House do want us to address this issue in a conference with the Senate. With that understanding, I am going to urge my colleagues to support the instruction to conferees offered by the gentleman from Virginia [Mr. BLILEY].

But I believe that this issue is a lot more complicated than some people think it is. For example, many people think they know what to do about HIV-infected immigrants. But I would ask them questions like this: Do you intend to stop business travelers and tourists and test them on their way into the country? That would mean there would be only three countries in the world with such restrictions on travel, Iraq, South Africa, and the United States.

Surely, if there was a problem of cost associated with travelers' health care, European countries and Japan would have dealt with it. But, instead, we have been boycotted for our travel policy by the International Red Cross, by the World Health Organization, and by other health and medical groups.

And then how would you implement such a policy? The standard AIDS test takes 48 hours to get the results back. Would you really ask international business travelers and tourists to sit in Kennedy Airport or Dulles or Los Angeles International for 48 hours while they go through London and Tokyo with no hassle?

Would we intend to send refugees back to dictator governments just because the refugees are HIV infected? Surely I would hope no one is suggesting that there should be one policy to protect refugees from torture and execution for people who are HIV negative and another one for people who are HIV positive.

What would we intend to do about people with HIV who are physically now in the United States? The truth is that we have a large number of people who are illegally in the United States, and that is not going to change because of the Senate amendment.

To slow the AIDS epidemic in the United States, the public health people need to get information and education, counseling and testing, and in some cases preventive treatment for diseases like tuberculosis to those people. If we scare them away from public health clinics, we are doing no one a public health service.

There are deeply held questions about health-care costs, but there are questions about how best to deal with travel and public health and refugee policy, and there are issues of plain discrimination.

We have said that public health decisions should be made by public health people, but now that both the Bush and the Clinton administration Secretaries of Health have recommended action, the other body has decided to overrule that.

□ 1420

What I am asking Members to understand is how complicated these issues are and to give us the ability to work to address these complexities in a fair way. I would expect that we would

have that opportunity in the conference.

The instructions, which are not binding—but I will interpret them to mean that this House wants us to address these questions—are instructions that would have us do just that, and interpreted in that way I will vote for those instructions and urge my colleagues to vote for those instructions as well to give the conferees the signal that you want us to look at the issue and come up with a reasonable proposal on how to deal with this immigration matter.

Mr. Speaker, I reserve the balance of my time.

Mr. BLILEY. Mr. Speaker, for debate purposes only, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

Mr. SOLOMON. I certainly thank the gentleman for his time.

Mr. Speaker, I want to thank Congressman BLILEY and certainly Congressman WAXMAN for their support of this instruction to the conferees. You know, Mr. Speaker and my colleagues, it really is terribly, terribly important. Never, never in the history of immigration law in this country have we knowingly admitted sources of contagious diseases to come across our borders and into our country. Lifting the present restrictions will not only place healthy American citizens at higher risk but it will also strain existing resources that are already so terribly overtaxed.

We are going to be debating that all next week.

That does not even include the welfare costs for those patients who end up in this country.

We are overburdening the taxpayers right now. They cannot afford to have this ban lifted.

Mr. Speaker, the amendment which I have been trying to offer to several pieces of legislation over the last several weeks, which is contained in the Nickles amendment presently in the Senate bill, would do nothing more than prohibit the executive order ban from being lifted by codifying into law the present ban on immigrants known to have communicable diseases that are listed in this amendment.

Now, the amendment I am talking about would continue to allow existing exceptions, which the gentleman from California [Mr. WAXMAN] is concerned about, and I understand his concern, but it would continue to allow existing exceptions for AIDS carriers who wish to enter the country for limited periods for specific purposes.

Mr. Speaker, I just mention that next week we are going to be debating two bills on this floor. One is the Federal budget for 1994, and the other is an appropriation stimulus package containing billions and billions of dollars. And the issue is going to be how to significantly reduce the unconscionable red-ink deficit that the American people are saddled with, much of which is

caused by just runaway, rampant medical costs.

Now, I do not mean to take up the time of this body, but we have to point out that it costs over \$100,000 per year per AIDS patient. I have hospitals in upstate New York, small hospitals that are presently taking care of as many as 300 AIDS patients. Three hundred times \$100,000 is backbreaking on that hospital.

Then you look at the large metropolitan areas around the New York/New Jersey area, where they have thousands and thousands and thousands of AIDS patients to deal with.

Now, last year, because of the ban that is in effect today that we are trying to keep in effect, we turned back over 600 immigrants who were applying for permanent resident visas in this country—600. There are presently 270 Haitians being held in Guantanamo Naval Base, Cuba, who are afflicted with that disease. If this ban were lifted tomorrow, it would allow those 600 to come in, those 270; and think what that would do to the already everescalating costs that we have now that we cannot even deal with.

So, let me just repeat: This Nation has never admitted new sources of contagious diseases into this country, and lifting the present restrictions will place not only healthy Americans at higher risk, it would also very much strain the medical resources that are already overtaxed at a cost of \$2 billion a year, and rising.

Again, I point out that does not even include the welfare costs.

So, without belaboring, let me thank the gentleman from California [Mr. WAXMAN], and the gentleman from Michigan [Mr. DINGELL], the chairman of the committee, and certainly the gentleman from California [Mr. MOORHEAD], and the ranking Republican on the subcommittee, the gentleman from Virginia [Mr. BLILEY] for their support, because we need to show overwhelming support for this amendment.

Mr. Speaker, this amendment passed the Senate by a vote of 76 to 23. That is overwhelming. If it were brought to a vote, a recorded vote in this House, we would get 380 votes for it. That is what we need to show so that we can ensure this ban is codified into law and kept in effect.

Mr. Speaker, I really appreciate the time of the committee, and I hope everyone will support the instructions to the conferees.

Mr. BLILEY. Mr. Speaker, I reserve the balance of my time.

Mr. WAXMAN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Washington [Mr. McDERMOTT].

Mr. McDERMOTT. I thank the gentleman for yielding.

Mr. Speaker, I rise to support this instruction.

As the gentleman from California [Mr. WAXMAN] has said, this country

needs a rational policy dealing with AIDS. One of the unfortunate things about the way this issue has been discussed in the public is that it gives people the impression that somehow if we close the borders there will be no problem in this country, if we somehow keep out everybody who has an AIDS diagnosis, then the problem will never affect the United States. That is a process that every country in the world has gone through, trying to deny that they had the problem.

We should do nothing that gives the American people the attitude that somehow it is "them" who have it, and "not us," because this is an issue that has to be dealt with with respect to the entire society and the world.

When you look at this issue, if you say, "Well, we are going to ban everybody who comes in with AIDS," then you immediately say to yourselves, "What about all the other immigrants that we have tested or have not tested who do not have AIDS? Are they in the 6-months' waiting period or the window between the time they get infected and the time they begin to show manifestations of the disease?"

There is no guarantee to the American people that you are keeping out people with AIDS by this kind of provision in the law. To me, it gives us a false sense of security. There needs to be an honest evaluation of this whole question, and I think that this instruction to the conference committee will allow them to come forward with a rational policy rather than the rather ill-considered and ill-thought-through policy we have had before.

Anybody who has been in places elsewhere in the world, as I have as leader of the international AIDS caucus in this Congress, knows that if you go to Thailand or you go to India or you go to Brazil or you go anywhere else on the face of the globe, they do not have this kind of provision because they know that that does not deal with the problem within their borders.

We have more than 1 million infected cases in this country already. The hospitals that my colleague from New York [Mr. SOLOMON] talks about would be burdened down by cases that are already in this country. The problem is not going to be stopped by putting up a kind of travel ban, which simply isolates us from the rest of the world.

If you ask yourself what happens if every other country in the world says, "Well, we are not going to let any infected patients in and we are going to test everybody," before you could go to your vacation in France you would have to have an AIDS test. Then you have to wait 6 months to be sure that you do not have it.

So you cannot go into France until you have had an AIDS test, have waited 6 months and had a second test.

If you consider what the kind of a policy spread across the face of the

Earth is, you are going to absolutely destroy international travel. What the United States is doing by this is saying, "Well, we are going to protect ourselves and nobody else can."

Ask yourselves what happens to us if every other country does that? That is why we have such an important part to play in setting the national agenda on dealing with an international epidemic.

Mr. Speaker, I commend the gentleman from California [Mr. WAXMAN] for joining in this because I think that maybe out of this conference we can get a rational policy on a very complicated and difficult public health and political issue.

□ 1430

Mr. BLILEY. Mr. Speaker, I yield myself 30 seconds, just to point out that in this amendment the previous speaker mentioned about coming in for vacations. Very few people stay longer than 30 days on vacations and 30-day visits are already protected under this amendment.

Mr. Speaker, I yield 4 minutes to the distinguished gentleman from California [Mr. MOORHEAD], the ranking member of the committee.

Mr. MOORHEAD. Mr. Speaker, I thank the gentleman for yielding me this time. Mr. Speaker, I rise in support of the motion to instruct the conferees on H.R. 4 to agree to accept section 2011 of the Senate bill dealing with the immigration of individuals infected with the human immunodeficiency virus.

As an original cosponsor of H.R. 985 which continues the policy currently in place to exclude immigrants infected with HIV, I feel very strongly that this provision should be included in this legislation. H.R. 4 is an ideal vehicle for inclusion of this provision because we know that it will be signed by President Clinton.

This ban has been in place since 1987 and has prevented a potential influx of aliens infected with the HIV virus from burdening our already overloaded health care system and putting Americans at risk.

The standard under the Immigration Act for which an alien may be denied permanent immigration status is if they have a communicable disease of public health significance. Currently, there are eight diseases on the list, including HIV, leprosy, syphilis, and infectious tuberculosis.

The Clinton administration is proposing removing HIV from the list of diseases because it is not easily communicable. That, however, is not the standard of the Immigration Act. The disease is communicable and, when considered with the facts that it is always fatal and that costs for treatment exceed \$100,000 per patient, it clearly is significant to the public health of this Nation.

Mr. Speaker, this provision was adopted by the Senate by a vote of 76 to 23. I firmly believe that the vote is highly representative of the views of the American people and the Members of this body.

For all these reasons, I strongly support the motion to instruct the conferees and I urge its adoption.

Mr. WAXMAN. Mr. Speaker, I yield 5 minutes to the gentlewoman from California [Ms. PELOSI].

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding me this time, and once again commend him for his leadership on this important legislation.

While I appreciate the statement that the gentleman from California [Mr. WAXMAN] made earlier about supporting this motion to instruct, I myself am not going to be able to do that, and for the following reasons:

I do not believe that we should be allowing Congress to determine what diseases will be on the list of those for inclusion for entry into the United States.

I respect the opinion of our colleagues on the other side of this issue. I know that they have thought about it long and hard, but in opposing this motion to instruct because I do not believe that Congress should make scientific and medical decisions about who should be coming into the country, and instead I believe that authority should rest with the Public Health Service.

I associate myself with the opinions of some that I would like to call the attention of this Congress.

The American Medical Association writes:

The Association consistently has supported the authority of the Public Health Service to determine which diseases should trigger exclusion of foreign nationals. Federal law requires the Public Health Service to base this determination on current epidemiological concepts and medical diagnostic standards.

In addition, the U.S. Catholic Conference writes:

We ask for your support in defeating any amendment that would overturn or interfere with the Department of Health and Human Services' authority to make the decision about what diseases are on the exclusion list.

In addition, the National Commission on AIDS appointed by President Bush writes:

The Commission voices its deep distress over the encroachment, once again, of extraneous issues into a decision that should be science-based and focused solely on public health concerns. We must not allow arguments based on politics, misinformation, fear or discrimination to triumph.

In addition to that, the Association of State and Territorial Health officials writes:

Because HIV infection is not spread by casual contact and immigration of infected individuals does not pose a direct threat to the health or safety of the population, ASTHO

continues to support removal of HIV infection from the list of communicable diseases of public health significance upon which U.S. travel and immigration can be denied.

The fact is they strongly believe that that decision should be made by the Public Health Service.

APHA, the American Public Health Association, one of the oldest and largest associations of health professionals supports the decision to end immigration policy which bars HIV infected persons from entering the country, again emphasizing the decision should be made by the Public Health Service.

Mr. Speaker, the list goes on and on. I could quote hundreds of organizations, ranging from the American Bar Association to the National Organization Responding to AIDS, which again has scores of organizations.

Again I would like to quote a letter to President Clinton written by a group of Public Health organizations and HIV service providers who also support the position that the Department of Health and Human Services should be the arena where this decision is made.

In closing, Mr. Speaker, I would like to quote. They say that:

We the undersigned represent medical research scientists deeply concerned about the interim ruling.

These people restate the idea that I have been emphasizing in my remarks that this decision should be left to the Public Health Service. It reads:

We are all dedicated to stemming the HIV/AIDS epidemic, and it is out of this dedication that we write to you. We ask that you join us in taking a stance on this issue based on medical and epidemiologic truth, and not on distracting and potentially harmful misconceptions. We thank you for your thoughtful consideration of this important international and public health matter.

In conclusion, Mr. Speaker, I would like to say that I am sure that we all share the view that we want to stop the spread of AIDS in our country and in the world. We all share the view that if anyone who comes into this country poses a danger or a threat to the health of Americans, we cannot have that happen. We all share the view that we cannot have people coming in who will become a public health charge and that is a cost to the U.S. taxpayers; but the point where we differ is who makes the decision about that, how contagious or what the merit is of a disease to be put on the list; but in this motion to instruct we will be talking about Congress making scientific and medical decisions. I oppose the motion to instruct because I believe that authority should rest with the Public Health Service.

The SPEAKER pro tempore (Mr. HOLDEN). The time of the gentlewoman from California [Ms. PELOSI] has expired.

Mr. WAXMAN. Mr. Speaker, I yield 1 additional minute to the gentlewoman from California.

Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I am happy to yield to the chairman, the gentleman from California.

Mr. WAXMAN. Mr. Speaker, I understand and respect and agree with everything the gentlewoman has said, except for one thing. The only way this House can express itself on the desire to deal with the problem of people who may come into this country and wanting to deal with the immigration question of those who are HIV infected or who have AIDS or who may come into this country and then have the American taxpayers pay for their health is through this motion to instruct.

I interpret this motion to instruct to be a desire by Members to have us address that issue.

I can understand fully those who feel that a motion to instruct which says that to accept the Senate amendment means that the Senate amendment with all its flaws is one that they cannot support; so I just wanted to point that out and make that distinction; but I certainly can understand why the gentlewoman is urging us to vote against the motion to instruct. I wanted to point out a further clarification of why I will vote for the motion to instruct.

Ms. PELOSI. Mr. Speaker, I appreciate the gentleman's clarification, and as I said, I respect his views. We are fortunate indeed in the Congress to have Chairman WAXMAN where he is on that committee. I know that the issue will be well served in the conference because of his leadership there, and as I say, I say this out of respect for our colleagues on both sides of this issue that we share the view that we want to stop the spread of AIDS and its cost in lives and money to the American people.

□ 1440

Mr. Speaker, I yield back the balance of my time.

Mr. BLILEY. Mr. Speaker, I yield myself 30 seconds only to mention that, if the President can deal with it, I do not see any reason why the Congress cannot.

Mr. SPEAKER, with great pleasure, I yield 2 minutes to the distinguished gentleman from Florida [Mr. MCCOLLUM].

Mr. MCCOLLUM. Mr. Speaker, I thank the gentleman from Virginia [Mr. BLILEY] for yielding this time to me.

I rise in support of this motion to instruct wearing a couple of hats. One of them is the ranking Republican on the Subcommittee on Immigration. One of them is the author of a bill which several of my colleagues have cosponsored that does essentially what the Nickles amendment in the Senate does that we are asking the conferees to agree to.

It seems to me that we need to recognize the fact of law that we passed back in 1990 when we passed that immi-

gration act, and we changed the language on excludable diseases from dangerous, contagious disease to communicable disease of public health significance. It seems obvious that the HIV AIDS virus is covered by this description. HIV is a disease, it is communicable as that term is defined by Webster's dictionary, and it certainly is a significant question of public health in this Nation. In fact, this country faces an HIV epidemic, the cost of which in human suffering and public dollars is not always fully appreciated.

We are debating hairs out here today and splitting them, I think, in terms of support or not support for this resolution. The bottom line is that all we are doing is saying we want to stick with present law. We hear President Clinton is moving away from that. This Congress does not want to do that.

The present law says that anybody who wants to immigrate to this country permanently gets tested for disease, or anybody who comes here as a refugee is tested for disease. If the person has a communicable disease of public health significance like HIV, they are excluded, they should be excluded. We should want to continue that policy. That is what we are codifying today.

The American Medical Association says that under those conditions they agree, we should continue to exclude those people. We should do what we are doing today.

If the person is coming here to be a visitor, to be a guest, to pass through this country, for any number of other reasons, the law presently does not involve any testing. We are never going to know, probably, if they have AIDS unless they tell us. If they do tell us, and we want to exclude them, there is a provision for waiver. The Attorney General has not agreed to do that. He probably would not. We have been waiving a lot of people into this country with disease situations for tourist reasons, for specific conferences. That is not an issue. What is at issue is the question of permanent immigrants and refugees and the present law.

Let us pass this motion to instruct simply to reinforce and put into law what permanently is the operating procedures of our Government.

Mr. WAXMAN. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. NADLER].

Mr. NADLER. Mr. Speaker, let me first say that I associate myself with the remarks of the gentlewoman from California [Ms. PELOSI] with which I agree.

I think that the major issue here is not whether AIDS meets the dictionary definition, as some might read it, of a communicable disease. The major issue here is whether we will single out AIDS from all other diseases and say that, unlike tuberculosis, or cholera, or typhoid, or other diseases which we know

are highly contagious, which are not listed in the law as excluded from this country, but which are subject to the decision of the Secretary in the Public Health Service, we will write this into the law. That is what the Senate amendment would do, would make AIDS a disease different from every other disease.

The question should be based on science. It should be based on the decision of whether a disease should be on the exclusion list is properly made by the administration officials to whom we have delegated that responsibility for every disease who will, hopefully, make it based on science, not based on politics, not based on a motion, not based on fear. But I am afraid that based on those emotions, that based on some extraneous considerations, we are saying that in a way different from diseases that are much more easily communicable, like typhoid, or cholera, or yellow fever, or all the bacterial diseases and the various diseases that can be spread by breathing on someone. Unlike AIDS, we are going to list this in the law. We are going to say the Public Health Service cannot decide this. We, in our great medical knowledge, we determine this, and because of the absurdity of that view I think that is why the National Commission on AIDS, and the Association of State and Local Health Officials, and the Medical Association of the Catholic Conference will all say that we should not agree with the Senate amendments, and I, therefore, will urge that we not agree with the Senate amendments.

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. NADLER. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I would just point out, because the gentleman was talking about some groups that are opposed to this ban staying in effect, that the Secretary of Health and Human Services, who has the primary responsibility for public health in America, has said that AIDS is a disease that is of the highest priority. President Clinton in his budget request, which we will be acting on next week, lists AIDS with more research money than any other disease, more so than cancer.

And finally let me just read from the American Medical Association, the other group that has the most responsibility for health in America, and I would just say that they say:

Since current immigration law does not distinguish between travelers and permanent immigrants, we believe the best solution to this issue would be a legislative modification of the immigration laws so that exclusion of HIV-infected persons would be limited to permanent immigrants.

That is exactly what our amendment does, so I thought I would call it to the gentleman's attention.

Mr. NADLER. Mr. Speaker, I appreciate the solicitude of my col-

league from New York, but obviously those comments are not relevant to the point at issue. Of course it is a serious disease. Of course we ought to spend more research money on it. I certainly support that. But that is not to say that it is contagious in a manner that would deserve its being on the exclusion list, and that is why Secretary Sullivan and Secretary Shalala left it to experts to determine that, and the essential point I am making is that we should leave it to the health experts and not pick this up with every other disease and say we will write it into law. It is a scientific decision for the health experts, not political decision for the Congress.

Mr. BLILEY. Mr. Speaker, for purposes of debate, I yield 2 minutes to the gentleman from Florida [Mr. STEARNS].

Mr. STEARNS. Mr. Speaker, I thank my good friend and colleague, from Virginia [Mr. BLILEY] for allowing me this opportunity to speak.

Mr. Speaker, I also rise to support the motion to instruct the conferees to accept the Senate provision dealing with HIV-infected individuals seeking immigration into the United States. Since the Committee on Rules ruled on my amendment and others, of my colleagues, Mr. MCCOLLUM, Mr. SOLOMON, Mrs. ROUKEMA out of order on a germaneness question, I am glad that the issue of HIV-infected immigrants will be visited again.

I am glad because I believe an argument could have been made for germaneness on these amendments. The issue of HIV infection is one of national importance. When the other body was dealing with this exact same bill, they saw fit to consider a similar amendment I had attempted to offer. I remind my colleagues that that amendment offered by Senator NICKLES, passed on a vote of 76 to 23. After that, the Senate passed the overall bill, S. 1, by a vote of 93 to 4.

The last time I checked, HIV infection and AIDS research were top national priorities of public health significance to the Congress. I would like to point out a few facts I hope my colleagues will take into account, before they decide how to vote on the motion to instruct conferees.

Individuals who are infected with the HIV virus, or already have AIDS, are constantly seeking entry into the United States. The amendment I sought to offer was not meant to be discriminatory in any way, shape, or form. It was offered to protect the public health of our citizens.

Before we open up the doors to our country to just anyone, would it not be a matter of sound public policy to take care of our own citizens, afflicted with the HIV/AIDS virus, before adding infected immigrants to the public charge?

I would respectfully ask the Members listening to this debate, "Are the hos-

pitals in your district financially and physically able to handle more HIV/AIDS patients? Do you have adequate facilities and doctors to treat these patients? Is your State budget in such wonderful shape that it can afford to take care of these immigrants? If so, would you mind pointing some of those dollars to the hospitals in my district?" I ask because down in Florida and other States, we are having a hard enough time already taking care of HIV-infected and AIDS patients.

I know that by not allowing HIV-infected immigrants to come into the country on a permanent basis will not alone solve the HIV/AIDS epidemic we face here at home. I do not think that is the purpose behind this motion. All we are asking for, is to try to control the problem as it currently exists.

Again, I ask my colleagues to support the motion to instruct, offered by my colleague from Virginia.

□ 1450

Mr. BLILEY. Mr. Speaker, for purposes of debate only, I yield 2½ minutes to the gentleman from Florida [Mr. BILIRAKIS].

Mr. BILIRAKIS. Mr. Speaker, current U.S. immigration policy, adopted in 1987, states that before people emigrate to this country, they must have blood tests. They are not allowed in our country except under a waiver provision if they test positive for HIV. This way individuals can come into the United States for health conferences, medical treatment, or to visit the United States—but cannot stay on an extended or permanent basis.

Mr. Speaker, my constituents express their concern that if HIV positive individuals are permitted to come into our country without any restrictions, it will cost our country millions, perhaps billions of dollars yearly. More importantly, it could also cost lives.

Mr. Speaker, I am the son of two Greek immigrants who were proud to come over to the United States on any basis or condition. My parents and the immigrants of their generation accepted the fact that certain rules and regulations were necessary to protect our country.

The immigration rules were simple—if you had a communicable disease, such as tuberculosis, you were not allowed to enter this country. Indeed, for decades, our country has maintained policies prohibiting people coming into this country carrying contagious, infectious diseases.

Perhaps this rule caused hardship, but it was fair. Perhaps in difficult cases, sacrifices ensued. But the rules were applied to everyone equally.

Therefore, I have serious reservations about the administration's proposed changes to our current immigration laws. If the administration's policy is adopted, we could have thousands of people, who would be Medicaid eligible,

wanting to emigrate to the United States, knowing that we have the highest quality of health care in the world and that the taxpayers of this country will provide them with health care.

Mr. Speaker, we know that our Nation is experiencing a health care crisis—my constituents believe their health care costs are unbearable now—can you imagine how the American public would feel about picking up the health care costs of so many people who did not even live in this country prior to their illness?

The President's policy is not fair, it is not right, nor is it just to the American taxpayer and those citizens who depend on our Nation's public and private health care system.

Mr. Speaker, for these reasons, I will be supporting the motion to instruct conferees.

Mr. BLILEY. Mr. Speaker, I yield 2½ minutes to the gentleman from California [Mr. DORNAN].

Mr. DORNAN. Mr. Speaker, this is one issue that if it were opened up to a national referendum, we would see widespread support for maintaining the current immigration policy. However, I oppose a national referendum because I am a Representative in a republican form of government, in which we are supposed to come here and have access from the Library of Congress to a world body of knowledge and debate among our colleagues, and where we are supposed to make some tough calls. But again, if we did have a national referendum, this is one of those cases where the American citizenry would overwhelmingly not act as a mob or out of emotion, which is what a representative government is supposed to prevent, but they would act with overwhelming common sense. And in a referendum of all 50 States and territories, the results would probably come in somewhere in the 80-percent range not to change our immigration policy with regard to communicable diseases.

I was flying into China in 1988 with one of my sons to ride the Trans-Siberian Railroad, at my own expense, taxpayers, and I picked up the visa application and it said if you have tested positive for the human immunodeficiency virus, don't get off the airplane. You will be held and turned around at the airport.

China is not the best example to use because it is a cruel Communist dictatorship. But they have got 1 billion people plus the population of the United States, 261 million, and they do not need a communicable social disease sweeping through one billion two hundred sixty-some million people.

Are we any different here when it comes to protecting our own citizens? What are we really talking about here? This is a pandemic of a venereal disease. Because AIDS is a politically protected disease, you never hear it referred to the way it was referred to on

this floor in 1985, 1986, and 1987 when we called it a venereal disease. That is because whatever constructed our current politically correct language about AIDS kicked in drug users, innocent hemophiliacs, and people with blood transfusions, and since it is only 75 percent transmitted by hetero and homo sex, we do not refer to it as a venereal disease. But it is. Therefore, what we are talking about is letting people into this country in their young years—look at the profile of Haitians—in their young years, what liberals call raging hormone-sexually active years, into this country with a communicable venereal disease that is always fatal.

I am not just isolating this disease or isolating Haitians. If they were all little redheads from Ireland I would still say: "I am sorry, this is not the world's open hospital for people who cannot pay. That is an Irish problem."

It is a Haitian problem. And I want to help Haitians in a lot of ways, and I follow the leadership of the Black Caucus on that where they urge direct action. You can hold me to that. But we cannot let in people with a venereal disease that is communicable. That would kill Americans, and it is stupid. Let the common sense of our citizenry prevail on this.

Mr. WAXMAN. Mr. Speaker, I yield myself such time as I may consume to engage the gentleman from California [Mr. DORNAN], in a question.

Mr. DORNAN. Mr. Speaker, I would be honored.

Mr. WAXMAN. Mr. Speaker, the gentleman raised the point yesterday about concern for human rights, and I know that the gentleman is a champion in the cause of human rights, people oppressed around the world, particularly in the Soviet bloc as we have seen it during the time preceding the cold war.

Mr. DORNAN. Many times following the lead of the gentleman.

Mr. WAXMAN. And we have been together. But one of the difficulties in this issue, and we will have to address it, but I would be interested in the thoughts of the gentleman about it, is if you have someone who is seeking refugee status to come to the United States because they face persecution may not be sufficient—but the kind of threat of execution by the authorities in a country, if we allow people to get refugee status on that basis, what should we do then if that individual has HIV infection? Should we turn them back to certain execution and persecution, or should we accept them on the basis which the United States has accepted refugees in the past?

I only single out this specific issue. Obviously it is narrower than the broader question do we let anybody who wants to come to the United States for permanent residency who may well end up as a public charge. I could not defend that. We do not want

Americans to have to pay for care for people from other countries, when we do not even allow Americans to have health coverage. But I do raise it as a complexity in this issue and a nuance that I think we have to think through carefully.

Mr. DORNAN. Mr. Speaker, will the gentleman yield?

Mr. WAXMAN. I yield to the gentleman from California.

Mr. DORNAN. Mr. Speaker, I agree with the gentleman. I would say brilliant political figures, those aspiring to statesmanship over the years, and I would bet the gentleman has quoted them, have said laws based on exceptional cases, it is usually bad law.

This is an exceptional case of human paths, and that is why we have this holding area at Guantanamo. I would say that the protection, when you have a pandemic situation of a communicable disease, and I put syphilis coequal with the HI virus, positive or AIDS manifested, we have to look at people who are in that danger and say what have we done over the past to be fair?

The great Kennedy family in our politics is third generation Irish. I am second generation. I am the grandson of immigrants on my father's side and the great-grandson on my mother's side. They were turned away if there was something in the eye that looked infected. They were turned back from that beautiful Ellis Island, and I have walked those grounds since reconstruction and said how changing in history was it for one little physical ailment to send somebody home?

We are not talking about little infections. We are talking about TB and infectious communicable diseases, and in the case of AIDS, not spread just by sex, but through dirty needle use.

Mr. WAXMAN. Mr. Speaker, if I might reclaim my time, the position of the gentleman would then be even if someone who would be entitled to refugee status who escaped the oppression of a dictator in another country, that the gentleman would say if that person has HIV status, the gentleman would not accept him?

Mr. DORNAN. Mr. Speaker, if the gentleman will yield further, is the chairman familiar with the story of Typhoid Mary, a waitress in New York? They set up an island for her in the East River where she lived out her years, because her gall bladder had the capability of killing 400,000 people. This beautiful young Irish lady was locked up for the rest of her life.

I say set up a better place than tent city in Guantanamo. I would put it on American soil somewhere. But they cannot leave that compound until threat to their life politically by execution is gone. Then they have to go back to the country of their birth, Haiti, which I have walked the streets. I have been to City Sole. It is the poor-

est country in the Western Hemisphere, a sad plight for the first democracy in the Caribbean in 1804 thanks to Napoleon, who could not hold onto it, and he gave us the Louisiana Purchase to buy it.

I know the history there. I want to be humane, but I am not going to let in communicable diseased people into this country, because it will kill as sure as you and I stand here. And we want our constituents to respect us. It will kill Americans if the position of the gentleman prevails.

□ 1500

Mr. WAXMAN. Mr. Speaker, reclaiming my time, let me just indicate that there is a distinction that we need to draw. It will not kill Americans by someone walking into the streets or coming into this country who has full-blown AIDS or HIV infection. It will have a chance to infect other people, should they engage in sexual activities with someone else. That is one issue. So it is not communicable in the sense of tuberculosis or other kinds of diseases that are communicable.

The real question, it seems to me, is the question of the payment for the health care for those people who come into this Nation. I raised that refugee question only to point out that the matter is a lot more complicated than some might otherwise think it to be, and I think we have got to look at all those complications, as we get into the conference on this matter.

Mr. Speaker, I reserve the balance of my time.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I would like to address some of the statements, I think, that have been made. One, that the illustrious chairman said that there are many people already in the United States that are illegally here, infected with AIDS.

I believe our position should be, whether one is here in this country illegally or not, with AIDS or healthy, that they ought to get a one-way ticket out of this country if they are here illegally.

Second, it is like throwing a bucket of gas on a building that is already on fire. We say the fire is there but, by the way, we are not going to give any more water. Why is because the cost of health care; the President's wife is working now on a health care bill to try and cut those costs. The available research dollars for AIDS and other infectious diseases would be diminished.

AIDS has no barriers, not man, woman, or lifestyle, and it is critical.

I think, as my fellow colleague from California stated, people will die. And I disagree with the chairman. It is not like tuberculosis. It is not caught in the air. People will die if we allow folks to come into this country that are infected with the AIDS virus.

So let us support the motion to instruct.

Public health concerns prohibit permanent immigration. And when my colleague says, would I keep someone from coming into this country that would face certain death in another country, I would say to my colleague, I cannot answer that question. It would be difficult.

But again, law based on individual specifics is bad law. It is going to cost us down the line for these AIDS patients beyond what we are already saturated with.

Health care—let us make it affordable. And I would support the motion to instruct.

Mr. BLILEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey [Mrs. ROUKEMA].

Mrs. ROUKEMA. Mr. Speaker, I rise today in strong support of this motion to instruct the conferees, to accept the Nickles amendment relating to the immigration of AIDS-infected aliens.

My colleagues, make no mistake about it: This is a public health issue which cannot be ignored.

As we heard in debate on the floor yesterday, I, along with Mr. SOLOMON, Mr. MCCOLLUM, Mr. SMITH, and Mr. STEARNS, sought to offer the Nickles amendment. We were defeated by parliamentary maneuvers. Today, we can correct this ill-advised judgment by instructing conferees.

The Nickles amendment, which mirrors the legislation my colleagues and I have introduced, codifies the present law restricting the permanent immigration of AIDS-infected foreigners. It was adopted by a 3-to-1 margin in the other body, and rightly so.

We are on the floor today, ready to approve more than \$3 billion in programs to improve and protect the public health of our citizens. How can we not include the Nickles amendment, which is based on sound health care policy?

As you know, Mr. Speaker, the Clinton administration proposed removing AIDS from the list of diseases for which permanent immigration into this country can be denied. That policy cannot be supported by medical or scientific evidence.

We cannot afford, amid media hysteria, to lose sight of this simple fact: In this context, AIDS must be treated as an issue of public health, not one of civil rights or political expediency.

We know the facts: AIDS remains terminal and contagious in nature. No cure has been found. Every piece of medical information indicates that the epidemic is accelerating. And finally, scientists are finding new strains of HIV and pneumonia, proving the point that there is more unknown than known about this disease.

There are also enormous costs associated with this disease. The long-term

costs of treating an AIDS patient start at \$100,000. We're here on the floor increasing the money we spend on AIDS research and treatment, and still our public hospitals cannot face the existing caseload.

Last year we spent more than \$2 billion in AIDS research and treatment, and our cities and hospitals still cannot keep up. How can we add to the burden of health care the expense of treating these HIV-infected immigrants?

And more and more, it is the public—the taxpaying American citizen—who picks up the cost of care for AIDS patients. How, in the name of all that is rational, can we act to radically increase those costs? At a time when millions of Americans struggle daily under the crushing burden of escalating health care costs, how can we knowingly add to that drain?

Let me remind my colleagues that never in the history of modern medicine or modern immigration laws have we knowingly admitted new sources of contagion during an epidemic. Our efforts should be concentrated on containing the spread of the epidemic, not introducing new sources of infection. Lifting the ban on AIDS will only serve to place healthy citizens at higher risk.

Finally, let me note for the record that this is not a heartless or cruel policy. Our present law can and does deal with visitors infected with HIV. We allow waivers for men and women who may want to visit family, seek medical treatment, or conduct business. These people are allowed to enter the United States for a short time, and this amendment protects those waivers.

The Nickles amendment would ensure that AIDS is classified as a communicable disease of public health significance, and that the longstanding prohibition on HIV-infected immigration stays in place. This is the only acceptable policy supported by medical and scientific evidence, and not special interests or political expediency.

As we conclude debate of the National Institutes of Health, we must make decisions based on health policy. The only public health choice you can make today is to support this motion to instruct, support the Nickles amendment, and continue the existing ban on immigrants with AIDS.

Mr. WAXMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BLILEY. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and move the previous question on the motion to instruct.

The previous question was ordered.

The SPEAKER pro tempore (Mr. HOLDEN). The question is on the motion to instruct offered by the gentleman from Virginia [Mr. BLILEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BLILEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 356, nays 58, not voting 16, as follows:

[Roll No. 70]

YEAS—356

Ackerman	Doolittle	Johnson (CT)
Allard	Dorman	Johnson (GA)
Andrews (NJ)	Dreier	Johnson (SD)
Andrews (TX)	Duncan	Johnson, Sam
Applegate	Dunn	Johnston
Archer	Durbin	Kanjorski
Armey	Edwards (TX)	Kaptur
Bacchus (FL)	Emerson	Kasich
Bacchus (AL)	English (AZ)	Kennedy
Baessler	English (OK)	Kennelly
Baker (CA)	Evans	Kildee
Baker (LA)	Everett	Kim
Ballenger	Ewing	King
Barcia	Fawell	Kingston
Barlow	Fazio	Klecza
Barrett (NE)	Fields (TX)	Klein
Barrett (WI)	Filner	Klug
Bartlett	Fingerhut	Knollenberg
Bateman	Fish	Kolbe
Beilenson	Ford (MI)	Kreidler
Bentley	Fowler	Kyl
Bereuter	Franks (CT)	LaFalce
Berman	Franks (NJ)	Lambert
Bevill	Frost	Lancaster
Billbray	Galleghy	LaRocco
Bilirakis	Gallo	Laughlin
Bliley	Gekas	Lazio
Blute	Gephardt	Leach
Boehlert	Geren	Lehman
Boehner	Gibbons	Levin
Bonilla	Gilchrist	Levy
Borski	Gillmor	Lewis (CA)
Brewster	Gilman	Lewis (FL)
Brooks	Gingrich	Lightfoot
Browder	Glickman	Linder
Brown (OH)	Gonzalez	Lipinski
Bryant	Goodlatte	Livingston
Bunning	Goodling	Lloyd
Burton	Gordon	Long
Buyer	Goss	Lowe
Byrne	Grams	Machtley
Callahan	Grandy	Maloney
Calvert	Green	Mann
Camp	Greenwood	Manton
Canady	Gunderson	Manzullo
Cantwell	Hall (OH)	Margolies-
Cardin	Hall (TX)	Mezvinsky
Carr	Hamilton	Martinez
Castle	Hancock	Mazzoli
Chapman	Hansen	McCandless
Clement	Harman	McCloskey
Clinger	Hastert	McCollum
Coble	Hayes	McCrery
Coleman	Hefley	McCurdy
Collins (GA)	Hefner	McHale
Combest	Henger	McHugh
Condit	Hilliard	McInnis
Cooper	Hinchey	McKeon
Coppersmith	Hoagland	McMillan
Costello	Hobson	McNulty
Cox	Hochbrueckner	Meehan
Cramer	Hoekstra	Menendez
Crane	Hoke	Meyers
Crapo	Holden	Mica
Cunningham	Horn	Michel
Danner	Houghton	Miller (CA)
Darden	Hoyer	Miller (FL)
de la Garza	Huffington	Minge
Deal	Hughes	Moakley
DeFazio	Hunter	Molinari
DeLauro	Hutchinson	Mollohan
DeLay	Hutto	Montgomery
Derrick	Hyde	Moorhead
Deutsch	Inglis	Moran
Diaz-Balart	Inhofe	Morella
Dickey	Inslee	Murphy
Dingell	Istook	Murtha
Dooley	Jacobs	Myers

Natcher	Rose	Stump
Neal (MA)	Rostenkowski	Stupak
Neal (NC)	Roth	Sundquist
Nussle	Roukema	Swett
Oberstar	Rowland	Swift
Obey	Royce	Talent
Ortiz	Sangmeister	Tanner
Orton	Santorum	Tauzin
Oxley	Sarpalius	Taylor (MS)
Packard	Sawyer	Taylor (NC)
Pallone	Saxton	Tejeda
Parker	Schaefer	Thomas (CA)
Pastor	Schenk	Thomas (WY)
Paxon	Schiff	Thornton
Payne (VA)	Schroeder	Thurman
Penny	Schumer	Torkildsen
Peterson (FL)	Scott	Torres
Peterson (MN)	Sensenbrenner	Torricelli
Petri	Serrano	Trafcant
Pickett	Sharp	Tucker
Pickle	Shaw	Upton
Pombo	Shays	Valentine
Pomeroy	Shepherd	Visclosky
Porter	Shuster	Volker
Poshard	Sisisky	Vucanovich
Price (NC)	Skaggs	Walker
Pryce (OH)	Skeen	Walsh
Quinn	Skelton	Waxman
Rahall	Slattery	Weldon
Ramstad	Slaughter	Whitten
Ravenel	Smith (IA)	Williams
Reed	Smith (MI)	Wilson
Regula	Smith (NJ)	Wise
Reynolds	Smith (OR)	Wolf
Richardson	Smith (TX)	Wyden
Ridge	Snowe	Wynn
Roberts	Solomon	Yates
Roemer	Spence	Young (AK)
Rogers	Stearns	Young (FL)
Rohrabacher	Stenholm	Zelliff
Ros-Lehtinen	Strickland	Zimmer

NAYS—58

Abercrombie	Frank (MA)	Rangel
Andrews (ME)	Furse	Roybal-Allard
Becerra	Gejdenson	Rush
Bishop	Hamburg	Sabo
Blackwell	Jefferson	Sanders
Bonior	Johnson, E.B.	Stark
Brown (CA)	Lantos	Stokes
Brown (FL)	Lewis (GA)	Studds
Clay	Markey	Synar
Clayton	Mateui	Towns
Clyburn	McDermott	Unsoeld
Collins (MI)	McKinney	Velazquez
Coyne	Meek	Vento
Dellums	Mfume	Washington
Dixon	Mink	Waters
Edwards (CA)	Nadler	Watt
Engel	Oliver	Wheat
Fields (LA)	Owens	Woolsey
Flake	Payne (NJ)	
Foglietta	Pelosi	

NOT VOTING—16

Barton	Ford (TN)	McDade
Boucher	Gutierrez	Mineta
Collins (IL)	Hastings	Quillen
Conyers	Henry	Spratt
Dicks	Klink	
Eshoo	Kopetski	

□ 1541

Ms. FURSE, Messrs. BROWN of California, BECERRA, RUSH, Ms. E.B. JOHNSON of Texas, Messrs. BLACKWELL, FOGLIETTA, CLYBURN, GEJDENSON, TOWNS, STARK, JEFFERSON, Miss COLLINS of Michigan, Messrs. BISHOP, ENGEL, VENTO and FLAKE changed their vote from "yea" to "nay."

Mr. WHITTEN, Mr. YATES, and Mrs. MALONEY changed their vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Mr. LANCASTER). Without objection, the Chair appoints the following conferees:

From the Committee on Energy and Commerce, for consideration of the Senate bill, and the House amendment, and modifications committed to conference: Messrs. DINGELL, WAXMAN, WYDEN, MOORHEAD, and BLILEY.

As additional conferees from the Committee on Education and Labor, for consideration of section 2013 of the Senate bill, and modifications committed to conference: Messrs. FORD of Michigan, MARTINEZ, and GOODLING.

As additional conferees from the Committee on the Judiciary, for consideration of section 2011 of the Senate bill, and modifications committed to conference: Messrs. BROOKS, MAZZOLI, and MCCOLLUM.

There was no objection.

PERSONAL EXPLANATION

Mr. KOPETSKI. Mr. Speaker, I was unavoidably away and missed several rollcall votes. For the record, had I been in attendance, I would have voted: On rollcall 63—aye; rollcall 64—aye; rollcall 65—aye; rollcall 66—aye; rollcall 67—aye; rollcall 68—nay; rollcall 69—aye; rollcall 70—nay.

PERSONAL EXPLANATION

Mr. GRAMS. Mr. Speaker, I was present in the Chamber at the time of rollcall vote 69 on final passage of H.R. 4, the National Institutes of Health Revitalization Act.

Although my votes were recorded on six preceding amendments, the RECORD shows no recorded vote by me on final passage, although I remember having recorded my vote.

I wish to have the RECORD show that I was present in the Chamber at the time of the vote, and that I intended to vote "no" on rollcall vote 69.

PERSONAL EXPLANATION

Mr. SERRANO. Mr. Speaker, I inadvertently voted "yea" to the amendment offered by Representative BILEY, roll No. 70. I intended to vote "nay" on this amendment and would appreciate it if this was reflected in the RECORD.

LEGISLATIVE CALENDAR

(Mr. MICHEL asked and was given permission to address the House for 1 minute.)

Mr. MICHEL. Mr. Speaker, I asked to proceed for 1 minute that I might inquire of the distinguished majority leader the program for next week.

Mr. GEPHARDT. Mr. Speaker, will the gentleman yield?

Mr. MICHEL. I yield to the gentleman from Missouri, the distinguished majority leader.

Mr. GEPHARDT. I thank the gentleman for yielding.

Mr. Speaker, obviously business is finished for today. There will not be votes on tomorrow.

Monday, March 15, the House will meet at noon. There will not be legislative business.

On Tuesday, March 16, the House will meet at noon to consider two suspensions. Recorded votes on the suspensions will be postponed until after debate on all suspensions: H.R. 965, Child Safety Protection Act; H.R. 1109, Merchant Seamen Reemployment Rights Act of 1993.

On Wednesday, March 17, and Thursday, March 18, the House will meet at 2 p.m. on Wednesday and at 11 a.m. on Thursday. We will take up the budget resolution for fiscal year 1994 and the fiscal year 1993 stimulus appropriations bill.

On Friday, March 19, the House will not be in session. That will be the start of a March short district work period.

Mr. Speaker, I would say also to the gentleman that the time on finishing Wednesday and beginning on Thursday may find that there needs to be change on those. I do not know that now. But obviously we would like to finish both the budget resolution and the appropriations bill next week.

Mr. MICHEL. I think that does it. I thank the gentleman. I appreciate the gentleman's response.

RULES OF PROCEDURE FOR THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT FOR THE 103D CONGRESS

Mr. McDERMOTT. Mr. Speaker, pursuant to clause 2(a) of rule XI of the Rules of the House of Representatives, I submit the rules of the Committee on Standards of Official Conduct for the 103d Congress which were adopted by the committee today.

RULES—COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT
FOREWORD

The Committee on Standards of Official Conduct is unique in the House of Representatives. Consistent with the duty to carry out its advisory and enforcement responsibilities in an impartial manner, the Committee is the only standing committee of the House of Representatives the membership of which is divided evenly by party. These rules are intended to provide a fair procedural framework for the conduct of the Committee's activities and to help insure that the Committee serves well the people of the United States, the House of Representatives, and the Members, officers, and employees of the House of Representatives.

PART I—GENERAL COMMITTEE RULES

Rule 1. General Provisions

(a) So far as applicable, these rules and the Rules of the House of Representatives shall be the rules of the Committee and any subcommittee. The Committee adopts these rules under the authority of clause 2(a) of Rule XI of the Rules of the House of Representatives, 103d Congress.

(b) The rules of the Committee may be modified, amended, or repealed by a vote of a majority of the Committee.

(c) When the interests of justice so require, the Committee, by a majority vote of its members, may adopt any special procedures, not inconsistent with these rules, deemed necessary to resolve a particular matter before it. Copies of such special procedures shall be furnished to all parties in the matter.

Rule 2. Definitions

(a) "Adjudicatory Subcommittee" means a subcommittee of the Committee, comprised of those Committee members not on the investigative subcommittee, that holds a disciplinary hearing and determines whether the counts in a Statement of Alleged Violation are proved by clear and convincing evidence.

(b) "Committee" means the Committee on Standards of Official Conduct.

(c) "Complaint" means a written allegation of improper conduct against a Member, officer, or employee of the House of Representatives filed with the Committee with the intent to initiate a Preliminary Inquiry.

(d) "Disciplinary Hearing" means an adjudicatory subcommittee hearing held for the purposes of receiving evidence regarding conduct alleged in a Statement of Alleged Violation and determining whether the counts in the Statement of Alleged Violation have been proved by clear and convincing evidence.

(e) "Investigative Subcommittee" means a subcommittee designated pursuant to Rule 6 to conduct a Preliminary Inquiry to determine if a Statement of Alleged Violation should be issued.

(f) "Office of Advice and Education" refers to the Office established by section 803(i) of the Ethics Reform Act of 1989. The Office handles inquiries; prepares written opinions in response to specific requests; develops general guidance; and organizes seminars, workshops, and briefings for the benefit of the House of Representatives.

(g) "Preliminary Inquiry" means an investigation by an investigative subcommittee into allegations against a Member, officer, or employee of the House of Representatives.

(h) "Respondent" means a Member, officer, or employee of the House of Representatives who is the subject of a complaint filed with the Committee or who is the subject of a Preliminary Inquiry or a Statement of Alleged Violation.

(i) "Sanction Hearing" means a Committee hearing to determine what sanction, if any, to recommend to the House of Representatives.

(j) "Statement of Alleged Violation" means a formal charging document filed by an investigative subcommittee with the Committee containing specific allegations against a Member, officer, or employee of the House of Representatives of a violation of the Code of Official Conduct, or of a law, rule, regulation, or other standard of conduct applicable to the performance of official duties or the discharge of official responsibilities.

Rule 3. Advisory Opinions and Waivers

(a) There is established within the Committee an Office of Advice and Education. The Office shall handle inquiries; prepare written opinions providing specific advice; develop general guidance; and organize seminars, workshops, and briefings for the benefit of the House of Representatives.

(b) Any Member, officer, or employee of the House of Representatives, or any other person specifically authorized by law, may request a written opinion with respect to the propriety of any current or proposed conduct of such Member, officer, employee, or person.

(c) The Office of Advice and Education may provide information and guidance regarding laws, rules, regulations, and other standards of conduct applicable to Members, officers, and employees in the performance of their duties or the discharge of their responsibilities.

(d) In general, the Committee shall provide a written opinion to an individual only in response to a written request.

(e) Unless specifically authorized by law or resolution of the House of Representatives, written opinions may be provided only to Members, officers, and employees of the House of Representatives. Other individuals may be provided with general information regarding rules or laws, such as citations to relevant texts of publicly available documents.

(f) A written request for an opinion shall be addressed to the Chairman of the Committee and shall include a complete and accurate statement of the relevant facts. A request shall be signed by the requester or the requester's authorized representative or employing authority. A representative shall disclose to the Committee the identity of the principal on whose behalf advice is being sought.

(g) A written opinion shall address the conduct only of the inquiring individual, or of persons for whom the inquiring individual is responsible as employing authority.

(h) The Office of Advice and Education shall prepare for the Committee a response to each written request for an opinion. Each response shall discuss all applicable laws, rules, regulations, or other standards.

(i) Where a request is unclear or incomplete, the Office of Advice and Education may seek additional information from the requester.

(j) The Chairman and Ranking Minority Member are authorized to take action on behalf of the Committee on any proposed written opinion that they determine does not require consideration by the Committee. If the Chairman or Ranking Minority Member requests a written opinion, or seeks a waiver, extension, or approval pursuant to Rules 3(n), 4(c), 4(e), or 4(h), the next ranking member of the requester's party is authorized to act in lieu of the requester.

(k) The Committee shall keep confidential any request for advice, as well as any response thereto.

(l) The Committee may take no adverse action in regard to any conduct that has been undertaken in reliance on a written opinion if the conduct conforms to the specific facts addressed in the opinion.

(m) Information provided to the Committee by a Member, officer, or employee seeking advice regarding prospective conduct may not be used as the basis for initiating an investigation under clause 4(e)(1)(B) of Rule X of the Rules of the House of Representatives, if such Member, officer, or employee acts in good faith in accordance with the written advice of the Committee.

(n) A written request for a waiver of House Rule XLIII, clause 4 (the House gift rule), or for any other waiver or approval, shall be treated in all respects like any other request for a written opinion.

(o) A written request for a waiver of House Rule XLIII, clause 4 (the House gift rule), shall specify the nature of the waiver being sought and the specific circumstances justifying the waiver.

(p) An employee seeking a waiver of time limits applicable to fact-finding or substantial participation travel shall include with the request evidence that the employing au-

thority is aware of the request. In any other instance where proposed employee conduct may reflect on the performance of official duties, the Committee may require that the requester submit evidence that the employing authority knows of the conduct.

Rule 4. Financial Disclosure

(a) In matters relating to Title I of the Ethics in Government Act of 1978, the Committee shall coordinate with the Clerk of the House of Representatives, Office of Records and Registration, to assure that appropriate individuals are notified of their obligation to file Financial Disclosure Statements and that such individuals are provided in a timely fashion with filing instructions and forms developed by the Committee.

(b) The Committee shall coordinate with the Office of Records and Registration to assure that information that the Ethics in Government Act requires to be placed on the public record is made public.

(c) The Chairman and Ranking Minority Member are authorized to grant on behalf of the Committee requests for reasonable extensions of time for the filing of Financial Disclosure Statements. Any such request must be received by the Committee no later than the date on which the statement in question is due. A request received after such date may be granted by the Committee only in extraordinary circumstances. Such extensions for one individual in a calendar year shall not exceed a total of 90 days. No extension shall be granted authorizing a non-incumbent candidate to file a statement later than 30 days prior to a primary or general election in which the candidate is participating.

(d) An individual who takes legally sufficient action to withdraw as a candidate before the date on which that individual's Financial Disclosure Statement is due under the Ethics in Government Act shall not be required to file a Statement. An individual shall not be excused from filing a Financial Disclosure Statement when withdrawal as a candidate occurs after the date on which such Statement was due.

(e) Any individual who files a report required to be filed under title I of the Ethics in Government Act more than 30 days after the later of—

(1) the date such report is required to be filed, or

(2) if a filing extension is granted to such individual, the last day of the filing extension period, is required by such Act to pay a late filing fee of \$200. The Chairman and Ranking Minority Member are authorized to approve requests that the fee be waived based on extraordinary circumstances.

(f) Any late report that is submitted without a required filing fee shall be deemed procedurally deficient and not properly filed.

(g) The Chairman and Ranking Minority Member are authorized to approve requests for waivers of the aggregation and reporting of gifts as provided by section 102(a)(2)(D) of the Ethics in Government Act. If such a request is approved, both the incoming request and the Committee response shall be forwarded to the Office of Records and Registration for placement on the public record.

(h) The Chairman and Ranking Minority Member are authorized to approve blind trusts as qualifying under section 102(f)(3) of the Ethics in Government Act. The correspondence relating to formal approval of a blind trust, the trust document, the list of assets transferred to the trust, and any other documents required by law to be made public, shall be forwarded to the Office of Records and Registration for such purpose.

(i) The Committee shall designate staff counsel who shall review Financial Disclosure Statements and, based upon information contained therein, indicate in a form and manner prescribed by the Committee whether the Statement appears substantially accurate and complete and the filer appears to be in compliance with applicable laws and rules.

(j) Each Financial Disclosure Statement shall be reviewed within 60 days after the date of filing.

(k) If the reviewing counsel believes that additional information is required because (1) the Statement appears not substantially accurate or complete, or (2) the filer may not be in compliance with applicable laws or rules, then the reporting individual shall be notified in writing of the additional information believed to be required, or of the law or rule with which the reporting individual does not appear to be in compliance. Such notice shall also state the time within which a response is to be submitted. Any such notice shall remain confidential.

(l) Within the time specified, including any extension granted in accordance with clause (c), a reporting individual who concurs with the Committee's notification that the Statement is not complete, or that other action is required, shall submit the necessary information or take appropriate action. Any amendment may be in the form of a revised Financial Disclosure Statement or an explanatory letter addressed to the Clerk of the House of Representatives.

(m) Any amendment shall be placed on the public record in the same manner as other Statements. The individual designated by the Committee to review the original Statement shall review any amendment thereto.

(n) Within the time specified, including any extension granted in accordance with clause (c), a reporting individual who does not agree with the Committee that the Statement is deficient or that other action is required, shall be provided an opportunity to respond, orally or in writing. If the explanation is accepted, a copy of the response, if written, or a note summarizing an oral response, shall be retained in Committee files with the original report.

(o) The Committee shall be the final arbiter of whether any Statement needs clarification or amendment.

(p) If the Committee determines, by vote of a majority of its members, that there is reason to believe that an individual has willfully failed to file a Statement or has willfully falsified or willfully failed to file information required to be reported, then the Committee shall refer the name of the individual, together with the evidence supporting its finding, to the Attorney General pursuant to section 104(b) of the Ethics in Government Act. Such referral shall not preclude the Committee from initiating such other action as may be authorized by other provisions of law or the Rules of the House of Representatives.

Rule 5. Meetings

(a) The regular meeting day of the Committee shall be the second Wednesday of each month, except when the House of Representatives is not meeting on that day. When the Committee Chairman determines that there is sufficient reason, a meeting may be called on additional days. A regularly scheduled meeting need not be held when the Chairman determines there is not business to be considered.

(b) A subcommittee shall meet at the discretion of its chairman.

(c) Insofar as practicable, notice for any Committee or subcommittee meeting shall

be provided at least seven days in advance of the meeting. The Chairman of the Committee or subcommittee may waive such time period for good cause.

Rule 6. Subcommittees—General Policy and Structure

(a) If the Committee determines by majority vote of its members that allegations of improper conduct (brought to its attention by a complaint or otherwise) by a Member, officer, or employee merit further inquiry, the Chairman and Ranking Minority Member of the Committee shall designate four or six members (with equal representation from the majority and minority parties) to serve as an investigative subcommittee to undertake a Preliminary Inquiry. The senior majority and minority members of an investigative subcommittee shall serve as the chairman and ranking minority member of the subcommittee. The Chairman and Ranking Minority Member of the Committee may serve only as nonvoting, ex officio members of any investigative subcommittee.

(b) If an investigative subcommittee, by a majority vote of its members, adopts a Statement of Alleged Violation, the remaining members of the Committee shall comprise an adjudicatory subcommittee to hold a Disciplinary Hearing under Committee Rule 19 on the violations alleged in the Statement.

(c) The Committee may establish other noninvestigative and nonadjudicatory subcommittees and may assign them such functions as it may deem appropriate. The membership of each subcommittee shall provide equal representation for the majority and minority parties.

(d) The Chairman may refer any bill, resolution, or other matter before the Committee to an appropriate subcommittee for consideration. Any such bill, resolution, or other matter may be discharged from the subcommittee to which it was referred by a majority vote of the Committee.

(e) Any member of the Committee may sit with any noninvestigative or nonadjudicatory subcommittee, but only regular members of such subcommittee may vote on any matter before that subcommittee.

Rule 7. Quorums and Member Disqualification

(a) The quorum for an investigative subcommittee to take testimony and to receive evidence shall be two members, unless otherwise authorized by the House of Representatives.

(b) The quorum for an adjudicatory subcommittee to take testimony, receive evidence, and conduct business shall consist of a majority plus one of the members of the adjudicatory subcommittee.

(c) Except as stated in clauses (a) and (b) of this rule, a quorum for the purpose of conducting business consists of a majority of the members of the Committee or subcommittee.

(d) A member of the Committee shall be ineligible to participate in any committee or subcommittee proceeding that relates to the member's own conduct.

(e) A member of the Committee may disqualify himself or herself from participating in any investigation of the conduct of a Member, officer, or employee of the House of Representatives upon the submission in writing and under oath of an affidavit of disqualification stating that the member cannot render an impartial and unbiased decision. If the Committee approves and accepts such affidavit of disqualification, or if a member is disqualified pursuant to Rule 15(h) or Rule 19(a), the Chairman shall so no-

tify the Speaker and ask the Speaker to designate a Member of the House of Representatives from the same political party as the disqualified member of the Committee to act as a member of the Committee in any Committee proceeding relating to such investigation.

Rule 8. Vote Requirements

(a) The following actions shall be taken only upon affirmative vote of a majority of the members of the Committee or subcommittee, as appropriate.

(1) Adoption of a resolution to conduct a Preliminary Inquiry;

(2) Adoption of a Statement of Alleged Violations;

(3) Finding that a count in a Statement of Alleged Violation has been proved by clear and convincing evidence;

(4) Sending of a letter of approval;

(5) Adoption of a recommendation to the House of Representatives that a sanction be imposed;

(6) Adoption of a report relating to the conduct of a Member, officer, or employee;

(7) Issuance of an advisory opinion of general applicability establishing new policy.

(b) Except as stated in clause (a), action may be taken by the Committee or any subcommittee thereof by a simple majority, a quorum being present.

(c) No motion made to take any of the actions enumerated in clause (a) of this Rule may be entertained by the Chair unless a quorum of the Committee is present when such motion is made.

Rule 9. Communications by Committee Members and Staff

Committee members and staff shall not disclose any evidence relating to an investigation to any person or organization outside the Committee unless authorized by the Committee, nor shall any evidence in the possession of an investigative subcommittee be disclosed to Committee members who are not members of the subcommittee prior to the filing of a Statement of Alleged Violation with the Committee.

Rule 10. Committee Records

(a) The Committee may establish procedures necessary to prevent the unauthorized disclosure of any testimony or other information received by the Committee or its staff.

(b) Members and staff of the Committee shall not disclose to any person or organization outside the Committee, unless authorized by the Committee, any information regarding the Committee's or a subcommittee's investigative, adjudicatory or other proceedings, including, but not limited to: (i) the fact of or nature of any complaints; (ii) executive session proceedings; (iii) information pertaining to or copies of any Committee or subcommittee report, study, or other document which purports to express the views, findings, conclusions, or recommendations of the Committee or subcommittee in connection with any of its activities or proceedings; or (iv) any other information or allegation respecting the conduct of a Member, officer, or employee.

(c) The committee shall not disclose to any person or organization outside the Committee any information concerning the conduct of a Member, officer, or employee of the House of Representatives until it has transmitted a Statement of Alleged Violation under Rule 17 of the Committee rules, to such Member, officer, or employee and the Member, officer or employee has been given full opportunity to respond pursuant to Rule 18. The Statement of Alleged Violation and

any written response thereto shall be made public at the first meeting or hearing on the matter that is open to the public after such opportunity has been provided. Any other materials in the possession of the Committee regarding such statement may be made public as authorized by the Committee to the extent consistent with the Rules of the House of Representatives.

(d) If no public hearing or meeting is held on the matter, the Statement and any written response thereto shall be included in the Committee's final report to the House of Representatives.

(e) All communications and all pleadings pursuant to these rules shall be filed with the Committee at the Committee's office or such other place as designated by the Committee.

(f) All records of the Committee which have been delivered to the Archivist of the United States shall be made available to the public in accordance with Rule XXXVI of the Rules of the House of Representatives.

Rule 11. Broadcasts of Committee and Subcommittee Proceedings

Whenever any hearings or meeting by the Committee or a subcommittee is open to the public, the Committee or subcommittee may, by a majority vote, permit coverage, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage, under the following rules:

(a) If television or radio present live coverage of the hearing or meeting to the public, it shall be without commercial sponsorship.

(b) No witness shall be required against his or her will to be photographed or otherwise to have a graphic reproduction of his or her image made at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television, is being conducted. At the request of any witness, all media microphones shall be turned off, all television and camera lenses shall be covered, and the making of a graphic reproduction at the hearing shall not be permitted. This paragraph supplements clause 2(k)(5) of rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) Not more than four television cameras, operating from fixed positions, shall be permitted in a hearing or meeting room. The Committee may allocate the positions of permitted television cameras among the television media in consultation with the Executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and any member of the Committee, or the visibility of that witness and that member to each other.

(e) Television cameras shall not be placed in positions that unnecessarily obstruct the coverage of the hearing or meeting by the other media.

PART II—INVESTIGATIVE AUTHORITY

Rule 12. House Resolution

Whenever the House of Representatives, by resolution, authorizes the Committee to undertake an inquiry or investigation, the provisions of the resolution, in conjunction with these Rules, shall govern. To the extent the provisions of the resolution differ from these Rules, the resolution shall control.

Rule 13. Committee Authority to Investigate—General Policy

Pursuant to clause 4(e)(2)(B) of Rule X of the Rules of the House of Representatives,

the Committee may exercise its investigative authority when—

(a) a complaint by a Member of the House of Representatives is transmitted directly to the Committee;

(b) a complaint by an individual not a Member of the House of Representatives is transmitted through a Member who agrees, in writing, to submit it for the purpose of requesting an investigation;

(c) a complaint by an individual not a Member of the House of Representatives is submitted to the Committee after three Members of the House of Representatives have refused, in writing, to transmit the complaint to the Committee for the purpose of requesting an investigation;

(d) the Committee, on its own initiative, determines that a matter warrants inquiry;

(e) a Member, officer, or employee is convicted in a Federal, State, or local court of a criminal offense for which a sentence of one or more years' imprisonment may be imposed; or

(f) the House of Representatives, by resolution, authorizes the Committee to undertake an investigation.

Rule 14. Complaints

(a) A complaint submitted to the Committee shall be in writing, under oath and dated, setting forth in simple, concise, and direct statements—

(1) the name and legal address of the party filing the complaint (hereinafter referred to as the "complainant");

(2) the name and position or title of the respondent;

(3) the nature of the alleged violation of the Code of Official Conduct or of other law, rule, regulation, or other standard of conduct applicable to the performance of duties or discharge of responsibilities; and

(4) the facts alleged to give rise to the violation. The complaint shall not contain innuendo, speculative assertions, or conclusory statements.

(b) Any documents in the possession of the complainant that relate to the allegations may be submitted with the complaint.

(c) A complaint by a Member of the House of Representatives may be transmitted directly to the Committee.

(d) A complaint by an individual not a Member of the House of Representatives may be transmitted through a Member who states, in writing, that it is submitted for the purpose of initiating a Preliminary Inquiry. A copy of the exact complaint submitted to and transmitted by the Member must be attached to the Member's letter to the Committee.

(e) If a complaint by an individual who is not a Member of the House of Representatives is submitted to three Members of the House of Representatives who refuse, in writing, to transmit the complaint to the Committee for the purpose of requesting an investigation, the complainant may transmit the complaint to the Committee. Legible copies of each refusal letter must accompany the complaint. Each letter must clearly state the Member's refusal to transmit the complaint and must contain the Member's acknowledgment that such refusal may cause the Committee to consider initiating a Preliminary Inquiry. A legible copy of the exact complaint submitted to and considered by the Member must be attached to that Member's refusal letter.

(f) A complaint must be accompanied by a certification that the complainant has provided an exact copy of the filed complaint and all attachments to the respondent.

(g) The Committee may defer action on a complaint against a Member, officer, or em-

ployee of the House of Representatives when the Committee has reason to believe such conduct is being reviewed by appropriate law enforcement or regulatory authorities.

(h) A complaint may not be amended without leave of the Committee. Otherwise, any new allegations of improper conduct must be submitted in a new complaint that independently meets the procedural requirements of the Rules of the House of Representatives and the Committee's Rules.

(i) The Committee shall not accept, and shall return to the complainant, any complaint submitted within the 60 days prior to an election in which the subject of the complaint is a candidate.

(j) The Committee shall not consider a complaint, nor shall any investigation be undertaken by the Committee, of any alleged violation which occurred before the third previous Congress unless the Committee determines that the alleged violation is directly related to an alleged violation which occurred in a more recent Congress.

Rule 15. Processing of Complaints

(a) Upon receipt of a complaint, the Committee shall determine if it complies with clause 4(e)(2)(B) of Rule X of the Rules of the House of Representatives and Rule 14 of the Committee Rules.

(b) If the complaint does not comply with such House and Committee Rules, it shall be returned to the complainant with a copy of such Rules and a statement specifying why the complaint is not in compliance. The respondent shall be notified when a complaint is returned and provided the reasons therefor.

(c) If a complaint is in compliance with House and Committee Rules, a copy of the complaint and the Committee Rules shall be forwarded to the respondent with notice that the complaint conforms to the applicable rules and will be placed on the Committee's agenda.

(d) The respondent may provide to the Committee any information relevant to a complaint filed with the Committee. The Committee staff may request information from the respondent prior to the consideration of a Resolution of Preliminary Inquiry only when so directed by the Chairman and Ranking Minority Member.

(e) At the first meeting of the Committee following the procedures or actions specified in clauses (c) and (d), the Committee shall consider the complaint.

(f) If the Committee, by a majority vote, determines that the complaint is within the Committee's jurisdiction and merits further inquiry, it shall adopt a Resolution of Preliminary Inquiry. After such resolution is adopted, the Chairman and Ranking Minority Member shall designate four or six members to serve as an investigative subcommittee to conduct a Preliminary Inquiry in accordance with Rule 17.

(g) The respondent shall be notified, in writing, regarding the Committee's decision either to dismiss the complaint or to initiate a Preliminary Inquiry.

(h) Respondent shall be notified of the membership of the investigative subcommittee and shall have ten days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and shall be on the grounds that the member cannot render an impartial and unbiased decision. The member against whom the objection is made shall be the sole judge of his or her disqualification.

Rule 16. Committee Initiated Preliminary Inquiry

(a) Notwithstanding the absence of a filed complaint, the Committee may consider any

information in its possession indicating that a Member, officer, or employee may have committed a violation of the Code of Official Conduct or any law, rule, regulation, or other standard of conduct applicable to the conduct of such Member, officer, or employee in the performance of his or her duties or the discharge of his or her responsibilities.

(b) If the Committee determines that the information merits further inquiry, the Committee shall proceed in accordance with Rule 17.

(c) Any written request by a Member, officer, or employee of the House of Representatives that the Committee conduct an inquiry into such person's own conduct shall be processed in accordance with subsection (a) of this Rule.

(d) An investigative or disciplinary hearing shall not be undertaken regarding any alleged violation that occurred before the third previous Congress unless a majority of the Committee determines that the alleged violation is directly related to an alleged violation that occurred in a more recent Congress.

(e) Conviction of a Member, officer, or employee of the House of Representatives in a Federal, state, or local court of a criminal offense for which a sentence of one or more years' imprisonment may be imposed shall be a matter that merits further inquiry pursuant to Rule 15 and, after sentencing, a preliminary inquiry shall be undertaken. Notwithstanding this provision, the Committee may exercise its investigative authority at any time prior to conviction or sentencing.

Rule 17. Preliminary Inquiry

(a) In a Preliminary Inquiry undertaken by an investigative subcommittee—

(1) All proceedings, including the taking of testimony, shall be conducted in Executive Session and all testimony taken by deposition or things produced pursuant to subpoena or otherwise shall be deemed to have been taken or produced in Executive Session.

(2) The Chairman of the investigative subcommittee shall ask respondent and all witnesses whether they intend to be represented by counsel. If so, respondent or witnesses or their legal representatives shall provide written designation of counsel. A respondent or witness who is represented by counsel shall not be questioned in the absence of counsel unless an explicit waiver is obtained.

(3) The subcommittee shall provide the respondent an opportunity to present, orally or in writing, a statement, which must be under oath or affirmation, regarding the allegations and any other relevant questions arising out of the Preliminary Inquiry.

(4) The staff may interview witnesses, examine documents and other evidence, and request that submitted statements be under oath or affirmation and that documents be certified as to their authenticity and accuracy.

(5) The subcommittee, by a majority vote of its members, may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry. Unless the Committee otherwise provides, the subpoena power shall rest in the Chairman and Ranking Minority Member of the Committee and a subpoena shall be issued upon the request of the chairman and ranking minority member of the investigative subcommittee. A motion to quash a subpoena shall be decided by the Chairman of the Committee.

(6) The subcommittee shall require that testimony be given under oath or affirma-

tion. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the chairman or subcommittee member designated by him to administer oaths.

(b) During the Preliminary Inquiry, the procedure respecting the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The chairman of the subcommittee or other presiding member at any investigative subcommittee proceeding shall rule upon any question of admissibility or pertinency of evidence, motion, procedure or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness's counsel, or a member of the subcommittee may appeal any evidentiary rulings to the members present at that proceeding. The majority vote of the members present at such proceeding on such appeal shall govern the question of admissibility, and no appeal shall lie to the Committee.

(3) Whenever a person is deemed by a chairman or presiding member to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with respondent and/or respondent's counsel as to facts that are not in dispute.

(c) Upon completion of the investigation, the staff shall draft for the investigative subcommittee a report that shall contain a comprehensive summary of the information received and may include any recommendations for action by the subcommittee regarding the alleged violations.

(d) Upon completion of the Preliminary Inquiry, an investigative subcommittee, by majority vote of its members, may adopt a Statement of Alleged Violation if it determines that there is reason to believe that a violation has occurred. If more than one count is alleged, such Statement shall be divided into counts. Each count shall relate to a separate violation, shall contain a plain and concise statement of the alleged facts of such violation, and shall include a reference to the provision of the Code of Official Conduct or law, rule, regulation or other applicable standard of conduct governing the performance of duties or discharge of responsibilities alleged to have been violated. A Statement of Alleged Violation may include offenses beyond those referenced in the Resolution of Preliminary Inquiry. A copy of such Statement shall be transmitted to the respondent and respondent's counsel.

(e) If the investigative subcommittee does not adopt a Statement of Alleged Violation, it shall transmit to the Committee a report containing a summary of the information received in the inquiry, its conclusions and reasons therefor, and any appropriate recommendation. The Committee shall transmit such report to the House of Representatives.

Rule 18. Respondent's Answer

(a)(1) Within 30 days from the date of transmittal of a Statement of Alleged Violation, the respondent shall file with the investigative subcommittee an answer, in writing

and under oath, signed by respondent and respondent's counsel. Failure to file an answer within the time prescribed shall be considered by the Committee as a denial of each count.

(2) The answer shall contain an admission to or denial of each count set forth in the Statement of Alleged Violation and may include negative, affirmative, or alternative defenses and any supporting evidence or other relevant information.

(b) The respondent may file a Motion for a Bill of Particulars within 15 days of the date of transmittal of the Statement of Alleged Violation. If a Motion for a Bill of Particulars is filed, the respondent shall not be required to file an answer until 15 days after the subcommittee has replied to such motion.

(c)(1) The respondent may file a Motion to Dismiss within 15 days of the date of transmittal of the Statement of Alleged Violation or, if a Motion for a Bill of Particulars has been filed, within 15 days of the date of the subcommittee's reply to the Motion for a Bill of Particulars. If a Motion to Dismiss is filed, the respondent shall not be required to file an answer until 15 days after the subcommittee has replied to the Motion to Dismiss.

(2) A Motion to Dismiss may be made on the grounds that the Statement of Alleged Violation fails to state facts that constitute a violation of the Code of Official Conduct or other applicable law, rule, regulation, or standard of conduct, or on the grounds that the Committee lacks jurisdiction to consider the allegations contained in the Statement.

(d) Any motion filed with the subcommittee pursuant to this rule shall be accompanied by a Memorandum of Points and Authorities.

(e)(1) The chairman of the investigative subcommittee, for good cause shown, may permit the respondent to file an answer or motion after the day prescribed above.

(2) If the ability of the respondent to present an adequate defense is not adversely affected and special circumstances so require, the chairman of the investigative subcommittee may direct the respondent to file an answer or motion prior to the day prescribed above.

(f) If the day on which any answer, motion, reply, or other pleading must be filed falls on a Saturday, Sunday, or holiday, such filing shall be made on the first business day thereafter.

(g) As soon as practicable after an answer has been filed or the time for such filing has expired, the Statement of Alleged Violation and any answer, motion, reply, or other pleading connected therewith shall be transmitted by the chairman of the investigative subcommittee to the Chairman and Ranking Minority Member of the Committee.

Rule 19. Disciplinary Hearings

(a) If a Statement of Alleged Violation is transmitted to the Chairman and Ranking Minority Member pursuant to Rule 18, and no waiver pursuant to Rule 23(b) has occurred, the Chairman shall designate the members of the Committee who did not serve on the investigative subcommittee to serve on an adjudicatory subcommittee. The Chairman and Ranking Minority Member of the Committee shall be the chairman and ranking minority member of the adjudicatory subcommittee. The respondent shall be notified of the designation of the adjudicatory subcommittee and shall have ten days after such notice is transmitted to object to the participation of any subcommittee member. Such objection shall be in writing and

shall be on the grounds that the member cannot render an impartial and unbiased decision. The member against whom the objection is made shall be the sole judge of his or her disqualification.

(b) A majority of the adjudicatory subcommittee membership plus one must be present at all times for the conduct of any business pursuant to this rule.

(c) The adjudicatory subcommittee shall hold a Disciplinary Hearing to determine whether any counts in the Statement of Alleged Violation have been proved by clear and convincing evidence and shall make findings of fact, except where such violations have been admitted by respondent.

(d) At a Disciplinary Hearing the adjudicatory subcommittee may require, by subpoena or otherwise, the attendance and testimony of such witnesses and production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary. Depositions, interrogatories, and sworn statements taken under any investigative subcommittee direction may be accepted into the hearing record.

(e) The procedures set forth in clause 2(k) of Rule XI of the Rules of the House of Representatives shall apply to Disciplinary Hearings. All such hearings shall be open to the public unless the adjudicatory subcommittee, pursuant to such clause, determines that the hearings or any part thereof should be closed.

(f)(1) The adjudicatory subcommittee shall, in writing, notify the respondent that respondent and his or her counsel have the right to inspect, review, copy, or photograph books, papers, documents, photographs, or other tangible objects that the adjudicatory subcommittee counsel intends to use as evidence against the respondent in a Disciplinary Hearing. Respondent shall be given access to such evidence, and shall be provided the names of witnesses the subcommittee counsel intends to call, and a summary of their expected testimony, no less than 15 calendar days prior to any such hearing. Except in extraordinary circumstances, no evidence may be introduced or witness called in a Disciplinary Hearing unless respondent has been afforded a prior opportunity to review such evidence or has been provided the name of the witness.

(2) After a witness called by subcommittee counsel has testified on direct examination at a Disciplinary Hearing, the Committee, at the request of the respondent, shall make available to the respondent any statement of the witness in the possession of the Committee which relates to the subject matter as to which the witness has testified.

(3) Any other testimony, statement, or documentary evidence in the possession of the Committee which is material to the respondent's defense shall, upon request, be made available to the respondent.

(g) No less than five days prior to the Disciplinary Hearing, respondent or counsel shall provide the adjudicatory subcommittee with the names of witnesses expected to be called, summaries of their expected testimony, and copies of any documents or other evidence proposed to be introduced.

(h) The respondent or counsel may apply to the subcommittee for the issuance of subpoenas for the appearance of witnesses or the production of evidence. The application shall be granted upon a showing by the respondent that proposed testimony or evidence is relevant and not otherwise available to respondent. The application may be denied if not made at a reasonable time or if the testimony or evidence would be merely cumulative.

(i) During the Disciplinary Hearing, the procedures regarding the admissibility of evidence and rulings shall be as follows:

(1) Any relevant evidence shall be admissible unless the evidence is privileged under the precedents of the House of Representatives.

(2) The chairman of the subcommittee or other presiding member at an adjudicatory subcommittee hearing shall rule upon any question of admissibility or pertinency of evidence, motion, procedure, or any other matter, and may direct any witness to answer any question under penalty of contempt. A witness, witness's counsel, or a member of the subcommittee may appeal any evidentiary ruling to the members present at that proceeding. The majority vote of the members present at such proceeding on such an appeal shall govern the question of admissibility and no appeal shall lie to the Committee.

(3) Whenever a witness is deemed by a chairman or other presiding member to be in contempt of the subcommittee, the matter may be referred to the Committee to determine whether to refer the matter to the House of Representatives for consideration.

(4) Committee counsel may, subject to subcommittee approval, enter into stipulations with respondent and/or respondent's counsel as to facts that are not in dispute.

(j) Unless otherwise provided, the order of a Disciplinary Hearing shall be as follows:

(1) The chairman of the subcommittee shall open the hearing by stating the adjudicatory subcommittee's authority to conduct the hearing and the purpose of the hearing.

(2) The chairman shall then recognize Committee counsel and respondent's counsel, in turn, for the purpose of giving opening statements.

(3) Testimony from witnesses and other pertinent evidence shall be received in the following order whenever possible:

(i) witnesses (deposition transcripts and affidavits obtained during the Preliminary Inquiry may be used in lieu of live witnesses) and other evidence offered by the Committee counsel,

(ii) witnesses and other evidence offered by the respondent,

(iii) rebuttal witnesses, as permitted by the chairman.

(4) Witnesses at a hearing shall be examined first by counsel calling such witness.

The opposing counsel may then cross-examine the witness. Redirect examination and recross examination may be permitted at the chairman's discretion. Subcommittee members may then question witnesses. Unless otherwise directed by the chairman, such questions shall be conducted under the five-minute rule.

(k) A subpoena to a witness to appear at a hearing shall be served sufficiently in advance of that witness' scheduled appearance to allow the witness a reasonable period of time, as determined by the chairman of the adjudicatory subcommittee, to prepare for the hearing and to employ counsel.

(l) Each witness appearing before the subcommittee shall be furnished a printed copy of the Committee rules, the pertinent provisions of the Rules of the House of Representatives applicable to the rights of witnesses, and a copy of the Statement of Alleged Violation.

(m) Testimony of all witnesses shall be taken under oath or affirmation. The form of the oath or affirmation shall be: "Do you solemnly swear (or affirm) that the testimony you will give before this subcommittee

in the matter now under consideration will be the truth, the whole truth, and nothing but the truth (so help you God)?" The oath or affirmation shall be administered by the Chairman or Committee member designated by the Chairman to administer oaths.

(n) At a Disciplinary Hearing the burden of proof rests on Committee counsel to establish the facts alleged in the Statement of Alleged Violation by clear and convincing evidence. However, Committee counsel need not present any evidence regarding any count that is admitted by the respondent or any fact stipulated.

(o) As soon as practicable after all testimony and evidence have been presented, the subcommittee shall consider each count contained in the Statement of Alleged Violation and shall determine by majority vote of its members whether each count has been proved. If a majority of the subcommittee does not vote that the count has been proved, a motion to reconsider that vote may be made only by a member who voted that the count was not proved. A count that is not proved shall be considered as dismissed by the subcommittee.

(p) The findings of the adjudicatory subcommittee shall be reported to the Committee.

Rule 20. Sanction Hearing and Consideration of Sanctions or Other Recommendations

(a) If no count in a Statement of Alleged Violation is proved, the Committee shall prepare a report to the House of Representatives, based upon the report of the adjudicatory subcommittee.

(b) If an adjudicatory subcommittee completes a Disciplinary Hearing pursuant to Rule 19 and reports that any count of the Statement of Alleged Violation has been proved, a hearing before the Committee shall be held to receive oral and/or written submissions by counsel for the Committee and counsel for the respondent as to the sanction the Committee should recommend to the House of Representatives with respect to such violations. Testimony by witnesses shall not be heard except by written request and vote of a majority of the Committee.

(c) Upon completion of any proceeding held pursuant to clause (b), the Committee shall consider and vote on a motion to recommend to the House of Representatives that the House take disciplinary action. If a majority of the Committee does not vote in favor of the recommendation that the House of Representatives take action, a motion to reconsider that vote may be made only by a member who voted against the recommendation. The Committee may also, by majority vote, adopt a motion to issue a Letter of Reprimand or take other appropriate Committee action.

(d) If the Committee determines a Letter of Reprimand constitutes sufficient action, the Committee shall include any such letter as a part of its report to the House of Representatives.

(e) With respect to any proved counts against a Member of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

- (1) Expulsion from the House of Representatives.
- (2) Censure.
- (3) Reprimand.
- (4) Fine.

(5) Denial or limitation of any right, power, privilege, or immunity of the Member if under the Constitution the House of Representatives may impose such denial or limitation.

(6) Any other sanction determined by the Committee to be appropriate.

(f) With respect to any proved counts against an officer or employee of the House of Representatives, the Committee may recommend to the House one or more of the following sanctions:

- (1) Dismissal from employment.
- (2) Reprimand.
- (3) Fine.

(4) Any other sanction determined by the Committee to be appropriate.

(g) With respect to the sanctions that the Committee may recommend, reprimand is appropriate for serious violations, censure is appropriate for more serious violations, and expulsion of a Member or dismissal of an officer or employee is appropriate for the most serious violations. A recommendation of a fine is appropriate in a case in which it is likely that the violation was committed to secure a personal financial benefit; and a recommendation of a denial or limitation of a right, power, privilege, or immunity of a Member is appropriate when the violation bears upon the exercise or holding of such right, power, privilege, or immunity. This clause sets forth general guidelines and does not limit the authority of the Committee to recommend other sanctions.

(h) The Committee report shall contain an appropriate statement of the evidence supporting the Committee's findings and a statement of the Committee's reasons for the recommended sanction.

Rule 21. Disclosure of Exculpatory Information to Respondent

If the Committee, or any investigative or adjudicatory subcommittee at any time receives any exculpatory information respecting a Complaint or Statement of Alleged Violation concerning a Member, officer, or employee of the House of Representatives, it shall make such information immediately known and available to the Member, officer, or employee.

Rule 22. Rights of Respondents and Witnesses

(a) A respondent shall be informed of the right to be represented by counsel, to be provided at his or her own expense.

(b) A respondent may seek to waive any procedural rights or steps in the disciplinary process. A request for waiver must be in writing, signed by the respondent, and must detail what procedural steps respondent seeks to waive. Any such request shall be subject to the acceptance of the Committee or subcommittee, as appropriate.

(c) Witnesses shall be afforded a reasonable period of time, as determined by the Committee or subcommittee, to prepare for the hearing and to obtain counsel.

(d) Except as otherwise specifically authorized by the Committee, no Committee member or staff member shall disclose to any person outside the Committee the name of any witness subpoenaed to testify or to produce evidence.

(e) Prior to their testimony, witnesses shall be furnished a printed copy of the Committee's Rules of Procedure and the provisions of the Rules of the House of Representatives applicable to the rights of witnesses.

(f) Witnesses may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman may punish breaches of order and decorum, and of professional responsibility on the part of the counsel, by censure and exclusion from the hearings; and the Committee may cite the offender to the House of Representatives for contempt.

(g) Each witness subpoenaed to provide testimony or other evidence shall be provided such travel expenses as the Chairman consid-

ers appropriate. No compensation shall be authorized for attorney's fees or for a witness' loss of earnings.

(h) With the approval of the Committee, a witness, upon request, may be provided with a transcript of his or her deposition or other testimony taken in executive session, or, with the approval of the Chairman and Ranking Minority Member, may be permitted to examine such transcript in the office of the Committee. Any such request shall be in writing and shall include a statement that the witness, and counsel, agree to maintain the confidentiality of all executive session proceedings covered by such transcript.

Adopted March 11, 1993.

**ADJOURNMENT TO MONDAY,
MARCH 15, 1993**

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

**DISPENSING WITH CALENDAR
WEDNESDAY BUSINESS ON
WEDNESDAY NEXT**

Mr. GEPHARDT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

**ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE**

The SPEAKER pro tempore. The Chair will entertain 1-minute requests at this time.

**PLANS OF THE COMMITTEE ON
RULES FOR THE FIRST TWO
ELEMENTS OF PRESIDENT'S
ECONOMIC PACKAGE**

(Mr. MOAKLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOAKLEY. Mr. Speaker, I rise today to notify Members about the Rules Committee's plans for the first two elements of the President's economic package: The fiscal year 1994 budget resolution and the emergency supplemental appropriation bill.

As you know, both committees completed their markups earlier this week and, to allow 3 days for additional views, will file next week.

It is my understanding, Mr. Speaker, that the text of each measure will be available at the committee offices before then.

The Rules Committee will meet next week to grant separate rules for consideration of the two measures.

In order to provide for fair and timely consideration, the committee may grant rules that structure the offering of amendments.

Mr. Speaker, any Member contemplating an amendment to either measure should submit 55 copies of the amendment and a brief explanation by 12 noon on Tuesday March 16. The committee offices are in H-312 in the Capitol.

Mr. Speaker, on the budget resolution, I would like to make two points. First, Members will find it helpful to work with the Congressional Budget Office as they draft their amendments.

Also, as in the past, the committee looks more favorably on substitutes than on cut-and-bite amendments. Cut-and-bite amendments only raise the very same issues that will be decided in the authorization and appropriation bills.

Mr. Speaker, I have sent two "Dear Colleague" letters to all offices explaining our intentions on each measure. We appreciate the cooperation of all Members.

**ACCESS TO HEALTH CARE: ONE OF
THE MOST IMPORTANT HUMAN
AND CIVIL RIGHTS**

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. SCHROEDER. Mr. Speaker, I think one of the things that struck all of us this year is how fragile civilization really is. Before we got too smug about thinking that it was just overseas, we had some incredible events happen in this country to remind us that things can come unraveled here, too.

I believe, after the horrible murder of the doctor outside the clinic yesterday in Pensacola, where he was shot in the back, I think that says to all of us we must work together and make one of the highest priorities access to being able to get into health clinics. We cannot allow people to take the law into their own hands and say they are answering to a higher law and, therefore, able to murder.

When you look at the incredible history of this case, where people were handing out posters with the doctor's picture on it, saying, "Wanted," where people were having prayer services saying they really wanted to go after the specific doctor, and they are also targeting many other health care workers, this is very, very serious to this democracy. And I hope this body acts, and acts forthwith, on the clinic violence bill and then moves to make access to health care one of the most important human and civil rights there is so that we do not have any more actions like this and we make it very clear we are firmly against it.

REQUESTS FOR SPECIAL ORDERS

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent that today, following legislative business and any special orders heretofore entered into, the following Members may be permitted to address the House, revise and extend their remarks, and include therein extraneous material:

Mr. BARTLETT of Maryland for 5 minutes today; Mr. HORN for 5 minutes today; Mr. BACHUS of Alabama for 5 minutes today; Mr. WALKER for 60 minutes today; Mr. GOODLATTE for 5 minutes today; Mr. HOKE for 5 minutes today; Mr. KYL for 60 minutes each day on March 22, 23, 24, and 25; Mr. GREENWOOD for 5 minutes today; Mr. KOLBE for 60 minutes on March 16; Mr. KASICH for 60 minutes on March 16; Mr. HOBSON for 60 minutes on March 16; Mr. FRANKS of New Jersey for 5 minutes today; Mr. SCHIFF for 5 minutes today; Mr. REGULA for 60 minutes each day on March 23, 24, and 25; Mr. DORNAN for 60 minutes today; Mrs. BENTLEY for 60 minutes each day on April 27, 28, and 29, and on March 4, 5, 6, 11, 12, and 13; Mr. GINGRICH for 60 minutes each day on March 22, 23, 24, 25, 26, 29, 30, and 31, and on April 1, 2, 14, 15, 16, 19, 20, 21, 22, 23, 26, 27, 28, 29, and 30; Mr. BACHUS of Alabama for 5 minutes on March 16; and Mr. SOLOMON for 60 minutes today.

□ 1550

The SPEAKER pro tempore (Mr. LANCASTER). Is there objection to the request of the gentleman from Pennsylvania [Mr. GREENWOOD]?

Mr. TAYLOR of Mississippi. Mr. Speaker, I find the practice of special orders a very wasteful expenditure of the public's money at \$8,000 per hour. That adds up to millions of dollars a year. I find the practice of a Member speaking to an empty Chamber an embarrassment to this Congress, and I do object.

The SPEAKER pro tempore. Objection is heard.

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that today, following legislative business and any special orders heretofore entered into, the following Members may be permitted to address the House, revise and extend their remarks, and include therein extraneous material: Mrs. CLAYTON for 5 minutes; Mr. TAUZIN for 5 minutes; and Mr. ENGEL for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. FRANK]?

Mr. TAYLOR of Mississippi. Mr. Speaker, for the same reasons that I objected to the request by the minority, I will object to the request by the majority.

The SPEAKER pro tempore. Objection is heard.

CONGRESSIONAL REFORM

Mr. KIM. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. The gentleman from California [Mr. KIM] is recognized for 5 minutes.

Mr. KIM. Mr. Speaker, after hearing Mr. Perot's testimony, before the Joint Committee for Congressional Reform, it dawned on me that now may well be the last chance for Congress to begin to regain credibility with American citizens.

We all must know that there is a great deal of contempt for this body throughout our Nation. Self-interest, corruption, scandals, and self-indulgence have left deep scars on this body, and serious internal injuries.

We won't cure this body with cosmetic surgery; organ transplant would be more appropriate because our body is in the emergency room on life support.

We are going to have to be bipartisan and we are going to have to put the American people first.

We aren't princes and princesses or dukes and duchesses in a feudal nation, we are public servants and we must begin to serve. And we must be held accountable for our actions.

Out there in the 435 districts in this vast land, there are people who voted for us. Because they believed they could count on us to represent their interests and not our own. And in my way of thinking, that vote is a serious public trust.

America wants change. No, America demands change and we had better heed that demand and correct the way Congress does the public's business.

As new Members, many of us do not feel party to the mistakes of the past. Our concern is the future. As Mr. Perot has said, "it's time to clean out the barn." And we had better listen.

The administrative cost of this body is very excessive.

And now we have an administration that is asking taxpayers to share the cost and share the pain of tax increases.

This body is no better than the American taxpayer. We have to consider their pain and their cost and substantially cut the cost of Congress, even if it is painful to some Members.

The bottom line is, we have to simplify Congress, get rid of nonessential committees, and put more common sense and frugality into legislative passage or rejection.

That is why I urge all my colleagues to join me by cutting the size and cost of all congressional committees by 25 percent.

The war cry is, eliminate gridlock. But this House manages to create its own gridlock.

We can begin to put an end to gridlock by eliminating the overwhelming power of the seniority system.

After all, one Member from 1 district out of 435 should not be in a position to dominate the actions of Congress. My district is just as important as the Speaker's district.

This is why the Republican freshman class has managed to successfully push through term limits on all committee and subcommittee chairs.

Tonight, I urge my fellow freshmen Democrats to join us in reforming this House by demanding the same concessions from their leadership. We must have term limitations on all committee and subcommittee chairs if real reform is going to take place, even if there might be some retaliation from senior Members.

After all, real congressional reform is what the American people are expecting. The simple fact is that this House isn't the possession of the politicians that inhabit it.

This House belongs to the people of our Nation who support us with their precious tax dollars. They are the owners, they are the landlords. We must not forget it.

The 103d Congress could gain a page in history by returning the grant deed of the House Chambers to the rightful owners—American citizens.

INTRODUCTION OF CITIZEN SELF-DEFENSE ACT

Mr. BARTLETT of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. BARTLETT] is recognized for 5 minutes.

Mr. BARTLETT of Maryland. Mr. Speaker, late yesterday I introduced legislation that would give victims of crime a fighting chance. Too often in our society people fall victim to crime because they are not able to defend themselves.

My bill would give victims just that right. This legislation, entitled the Citizens Self-Defense Act, gives law-abiding citizens the right to obtain and use firearms in self-defense.

My bill does not put guns into the hands of criminals, nor does it increase the crime rate. Instead, my legislation will make for fewer victims and fewer crimes. The statistics are clear.

Fifty-six percent of convicts agree, a criminal is not going to mess around with a victim he knows is armed with a gun.

Fifty-seven percent of convicts say that they are more worried about meeting an armed victim than they are about running into the police.

Forty-four percent of Americans keep a gun at home to protect themselves from crime.

Three hundred thousand Americans a year use a handgun to deter criminals.

In instance after instance, the government is prosecuting Americans whose only crime is self-defense, either by acquiring or using a firearm in self-defense. The Citizens Self-Defense Act is a protection against government prosecuting law-abiding citizens.

This common sense measure does not conflict with any waiting period or regulation schemes now in effect, including Brady-style waiting periods.

Please support and cosponsor this important legislation.

All of us are appalled by the victims of crime. All of us are appalled by violence where guns are involved, and if there was a shred of evidence that limiting guns to law-abiding citizens would decrease crime and would decrease violence with guns, then one might debate that, but as far as I know there is no evidence that this is true.

There are accidents with guns. There are also accidents with automobiles. Thousands and thousands of people a year are injured in automobiles. Somewhere near 50,000 are killed in automobiles, and I see no move to ban automobiles because there are accidents with automobiles.

Similarly with guns, there are accidents with guns. They need to be decreased by training and learning how to properly use guns.

Americans have decided that in spite of many deaths from automobiles, despite thousands and thousands of injuries from automobiles, that the benefits of having automobiles outweigh the benefits of not having automobiles. So we have agreed as a society that we are benefited by having automobiles.

I submit that the same benefit will accrue to individuals and families owning and using guns to protect themselves.

This bill will reduce crime. It will reduce deaths from guns. It will make all of our lives safer. There just is not a shred of evidence that limiting guns to law-abiding citizens has any effect on crime.

□ 1600

If we make this bill law, Mr. Speaker, crime will be decreased and injury with guns will be decreased.

THE DEFENSE BASE REALIGNMENT AND CLOSURE COMMISSION NEEDS TO LOOK AT THE FOREIGN MILITARY OPERATIONS OF THE UNITED STATES

Mr. HORN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, to revise and extend my remarks, and include extraneous material.

The SPEAKER pro tempore (Mr. LANCASTER). Is there objection to the

request of the gentleman from California?

There was no objection.

Mr. HORN. Mr. Speaker, I am pleased to introduce today on behalf of several colleagues and myself, legislation which would give the authority to the Defense Base Realignment and Closure Commission in its next go-around to include the military recommendations for the termination and reduction of military operations carried out by the United States at military installations outside the United States. One of my concerns over the last few years has been the extensive investment this country has made abroad in such matters as ship repair and maintenance. At Yokosuka, a base in Japan, in the last 4 years \$1½ billion has been spent on ship repair and maintenance by the American fleet. Those funds in this very tight economy, when we need to retain skilled American workers as a basic defense mobilization force, could much better have been spent, in my opinion, at the various shipyards on the east and west coasts of the United States, as well as in Hawaii. And yet a billion and a half dollars was spent abroad.

So, Mr. Speaker, today I am introducing legislation to amend the basic act which has the Defense Base Realignment and Closure Commission review possible termination of U.S. military operations abroad in its next go-around two years from now. I think it is essential that the foreign military operations of the United States be judged in competition with domestic military operations and facilities.

An hour or two ago a number of us met with James Courter, the distinguished chairman of the Defense Base Realignment and Closure Commission. I asked his judgment on this proposed legislation, and he said, "If we are given the jurisdiction by Congress, we will follow the law."

I think that is appropriate, and I commend Secretary Aspin for his leadership in trying to include this type of language in the original law and for his actions that will occur in the next day or so where various U.S. foreign bases will be canceled on the initiative of the Secretary of Defense.

I feel, however, that to simply leave it to the Secretary of Defense, who might follow Mr. Aspin, is not enough. We need to work the consideration of U.S. bases abroad into the regular base closure process which starts in the various forces and moves up to the secretary level of the Army, Navy, and Air Force, and into the Office of the Secretary of Defense. This legislation, if enacted, would do that.

We have had in the last few years approximately 1,669 bases or facilities of some type abroad that service the vast forces of American military personnel overseas. So far, 661 of those have been closed, or reduced in size. That is ap-

propriate with the changing posture and force needs that have come about as a result of the end of the cold war, but there are still almost a thousand facilities abroad. The Secretary of Defense will presumably close a number of those tomorrow. I think that we should take a careful look at what remains after his action. Thus, I commend this legislation to the House. This proposal is in the national interest as we see very skilled, qualified Americans holding jobs with dignity who are slowly being put out of work, endangering the capacity of this country to deal with the needs of our forces in repair and maintenance should future emergencies arise.

I enclose as exhibits for this legislation the text of the bill as well as various lists of bases overseas.

The material referred to is as follows:

H.R. 1321

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONSIDERATION OF MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES FOR CLOSURE AND REALIGNMENT.

(a) EXPANSION OF SCOPE OF BASE CLOSURE LAW.—The Defense Base Closure and Realignment Act of 1990 (Part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) by redesignating sections 2910 and 2911 as sections 2911 and 2912, respectively; and

(2) by inserting after section 2909 the following new section:

"SEC. 2910. CONSIDERATION OF MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES.

"(a) RECOMMENDATIONS FOR TERMINATION AND REDUCTIONS OF MILITARY OPERATIONS OUTSIDE THE UNITED STATES.—With respect to recommendations made in 1995 for the closure and realignment of military installations under this part, the Secretary and the Commission shall include recommendations for the termination and reduction of military operations carried out by the United States at military installations outside the United States.

"(b) SELECTION CRITERIA.—(1) Not later than December 31, 1993, the Secretary shall publish in the Federal Register and transmit to the congressional defense committees the criteria proposed to be used by the Department of Defense in making recommendations for terminating and reducing military operations carried out by the United States at military installations outside the United States. The Secretary shall provide an opportunity for public comment on the proposed criteria for a period of at least 30 days and shall include notice of that opportunity in the publication required under the preceding sentence.

"(2) Not later than February 15, 1994, the Secretary shall publish in the Federal Register and transmit to the congressional defense committees the final criteria to be used in making recommendations for terminating and reducing military operations carried out by the United States at military installations outside the United States.

"(3) The criteria developed under this subsection, along with the force-structure plan referred to in section 2903(a), shall be the final criteria to be used in making recommendations for terminating and reducing

military operations carried out by the United States at military installations outside the United States, unless the criteria are—

"(A) disapproved by a joint resolution of Congress enacted on or before March 15, 1994; or

"(B) amended by the Secretary in the manner described in section 2903(b)(2)(B).

"(C) **RECOMMENDATIONS OF THE SECRETARY.**—The Secretary shall transmit recommendations to the Commission for the termination and reduction of military operations of the United States at specified military installations outside the United States. The recommendations shall be included in the recommendations transmitted to the Commission with respect to the closure and realignment of military installations inside the United States under section 2903(c).

"(d) **REVIEW AND RECOMMENDATIONS BY COMMISSION.**—The Commission shall review the recommendations transmitted by the Secretary under subsection (c). The Commission may make changes in the recommendations made by the Secretary only in the manner provided in subparagraphs (B), (C), and (D) of section 2903(d)(2). The Commission shall include, in its recommendations to the President under section 2903(d), its recommendations for the termination and reduction of military operations of the United States at specified military installations outside the United States.

"(e) **REVIEW AND TRANSMITTAL BY THE PRESIDENT.**—The recommendations transmitted by the President under section 2903(e) shall contain the recommendations of the Commission for the termination and reduction of military operations of the United States at specified military installations outside the United States."

(b) **CONFORMING AMENDMENTS.**—(1) Subsection (b) of section 2901 of such Act is amended to read as follows:

"(b) **PURPOSE.**—The purpose of this part is to provide a fair process that will result in the timely closure and realignment of military installations inside and outside the United States."

(2) Section 2911 of such Act, as redesignated by subsection (a)(1), is amended—

(A) in paragraph (4), by inserting after the first sentence the following new sentence: "With respect to military operations carried out by the United States outside the United States, such term includes the sites and facilities at which such operations are carried out without regard to whether the sites and facilities are owned by the United States."; and

(B) by adding at the end the following new paragraph:

"(8) The terms 'closure' and 'realignment' include, with respect to military operations carried out by the United States outside the United States, the termination or reduction of such operations."

THE SECRETARY OF DEFENSE,
Washington, DC, March 10, 1993.

Hon. STEVE HORN,
U.S. House of Representatives, Longworth
House Office Building, Washington, DC.

DEAR STEVE: As you know, I have been trying to think through for some time a new strategic basis for protecting Americans and American interests against the new threats of the post Cold War world. The disintegration of the Warsaw Pact and the Soviet Union has given us a historic opportunity to downsize our forces in a strategically smart way and to reinvest some of the resources no longer needed for defense in areas of civilian growth.

Closing military bases we no longer need for defense purposes is a key component of this strategy. Later this week, I will make public a list of military bases proposed for close and realignment. Today, I'd like to describe for you the rationale and process I'm using to develop the overall plan.

The attached memorandum offers additional details. Briefly, there are four key points:

Closing Bases Saves Taxpayer Dollars and Maintains Military Effectiveness. We must shed an inefficient and large Cold War overhead structure in order to free up the resources to properly invest in military effectiveness and civilian growth enterprises. In so doing, we'll also save billions of dollars to contribute toward reducing the deficit.

The Process for Closing Domestic Bases is Objective and Fair. Politics must not play a role in the base closure process. Congress gave the Executive Branch extraordinary authority to close bases, using a fair and analytical process driven by the force structure plan and objective criteria. The Department of Defense has used this method in developing its recommendations and the final decisions rest with an independent, bipartisan Base Closure Commission.

We're Reducing Overseas Bases Even More than Bases Here at Home. The Department of Defense will reduce its overseas base structure much more than in the US. We expect to announce additional overseas base closures within the next several weeks and will work toward even bigger announcements in the early autumn timeframe.

We will Reinvest for Growth to Create Good, New Jobs. I am committed to a proactive program on reinvestment. The President will shortly make public our plan for using the Reinvestment funds previously authorized and appropriated by Congress to support economic growth and to create new, good jobs for our people, communities and defense industries.

Important work lies ahead. I hope I can count on your input and support as we move through the process.

With warm regards,

LES ASPIN,
Secretary of Defense.

THE SECRETARY OF DEFENSE,
Washington, DC, March 9, 1993.

Memorandum from Les Aspin, Secretary of Defense.

Subject: Base closure and realignment.

Because of the collapse of the Soviet Union and the end of the cold war, the Defense Department must get smaller. We are downsizing in the same way many major corporations are. Just as they are eliminating overhead and closing unneeded plants, so we are inactivating forces, eliminating overhead, and closing unneeded military bases worldwide.

By downsizing in this way, we make resources available to allow us to do the right things in defense: maintain the quality of people in uniform and maintain the technological edge of their weapons.

Our overall base closure policy is an important part of this effort. The policy has five compelling characteristics:

It saves money that would otherwise go to unnecessary overhead.

It supports military effectiveness by reducing the competition for ever scarcer resources.

It is fair and objective.

It hits bases overseas harder than those at home.

It supports the investment necessary to foster economic growth.

SAVING TAXPAYER DOLLARS AND MAINTAINING MILITARY EFFECTIVENESS

Closing military bases worldwide saves taxpayer dollars; permits DoD to invest properly in the forces and bases it keeps in order to ensure their continued effectiveness; and frees up valuable defense assets (people, facilities and real estate) for productive private sector reuse.

The defense budget will decline by 40 percent in real terms from 1985 to 1997, and military personnel in the United States will be reduced by 30 percent. Base closures have lagged behind this overall drawdown. No bases were closed until two years ago, following decisions made in the 1988 and 1991 rounds of base closures. Under those two rounds, domestic base structure was reduced by only nine percent, measured by plant replacement value.

Plant replacement value is what it would cost to replace all the buildings, pavements, and utilities at a base. We measure our progress in terms of plant replacement value because it is a better measure of magnitude than simply counting large bases and small bases equally.

Failure to close bases in line with reductions in budgets and personnel constitutes a double hit: Resources are drained into bases we don't need, and therefore are not available to buy the things we do need.

BEING OBJECTIVE AND FAIR

Congress has given the Executive Branch extraordinary authority to close domestic bases, provided the Executive Branch follows the established rules strictly, and keeps faith with the Congress.

This means using an objective, fair analytical process for closing bases that will withstand scrutiny by the Defense Base Closure and Realignment Commission, the General Accounting Office, Congress and the public. The process has worked well so far.

The Military Departments and Defense Agencies made their recommendations to me on February 22, 1993. The Joint Staff and the Office of the Secretary of Defense reviewed the recommendations and underlying analyses to ensure that the law and DoD policies were followed.

I will not recommend any base for closure that would conceivably be kept open under a revised force structure plan.

The recommendations I will make, however, are consistent with a six-year force structure plan. The plan DoD has used in the Bush Administration's "base force." The legal deadline for recommendations precluded us from making changes based on future force reductions not yet decided.

The "base force" has twelve active Army divisions; we will have room to station all of them. It has twelve carriers; we will have room to berth all of them. It has 1098 active Air Force fighters; we will have room to bed-down all of them.

Unless the force structure is increased above the "base force," we will have all the bases we need.

I am confident, therefore, that future changes will decrease force structure, and will require more, not fewer, base closures than those I will recommend at this time.

REDUCING OVERSEAS BASES EVEN MORE

DoD is reducing its military forces and its overseas base structure much more than in the U.S.

DoD has, to date, announced it will end or reduce its operations overseas at sites accounting for 28 percent of replacement value.

Our plan is to reduce the overseas base structure by 35-40% as we complete our re-

duction in personnel stationed overseas to about 200,000, down 56 percent from 1985.

DoD base spending overseas will also decline dramatically, both because of troop reductions and because Japan and Korea are paying an increasing share of the costs of stationing U.S. forces there.

While DoD will continue to reduce its forward deployed forces, those forces have played a fundamental role in regions vital to the national interest. Permanently stationing and periodically deploying forces overseas have been key to averting crises and preventing war. They show our commitment, lend credibility to our alliances, enhance regional stability, provide crisis response capability, and promote U.S. influence and access throughout the world.

SUPPORTING THE REINVESTMENT NECESSARY TO RESTORE ECONOMIC GROWTH

Closing domestic bases and reducing DoD's weapons and equipment purchases are critical elements of a balanced defense drawdown—one which will preserve a fully capable, albeit smaller, military.

Nationally, the drawdown in defense spending does not pose any extraordinary problems for the economy. The economic impact of the planned drawdown is actually smaller than the impacts after the Korean and Vietnam wars. However, the impacts are substantial in regions where the local economy depends heavily on defense spending.

There are three ways DoD can help support economic growth: investing in people, investing in industry, and investing in communities. The President will soon announce more details on his plans in this regard.

FOREIGN AREAS¹—MILITARY INSTALLATIONS AND PROPERTIES

(As of September, 1991)

	Army	Navy	Marine Corps	Air Force	Total
Australia		1		1	2
Belgium	1				1
Bermuda		1			1
Canada		1			1
Cuba		1			1
Diego Garcia		1			1
Germany	15			8	23
Greece		1			1
Greenland		1		1	2
Iceland				1	1
Italy	2	2		2	6
Japan	2	6	3	3	14
Korea, Republic of	4			2	6
Netherlands	1			1	2
Panama	1	2		1	4
Philippines		3		0	3
Portugal				1	1
Spain		1		1	2
Turkey	2			4	6
United Kingdom	1	3		10	14
Total foreign areas	29	23	3	36	91

¹ Does not include reserve centers and minor properties.

Source: Defense Almanac, September/October 1992.

CREATING EXPENSIVE JOBS

Mr. BACHUS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes, to revise and extend my remarks, and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BACHUS of Alabama. Mr. Speaker, despite an economy that created over 365,000 new jobs last month without any expense whatsoever to the

American taxpayer, the Clinton administration clings desperately to the myth that their stimulus package is needed to create jobs.

Just this morning there were front page headlines: "Spending, Home Sales Spur Growth." The economy is improving across most of the Nation and will remain healthy throughout the year, presidents of the 12 Federal Reserve banks said Wednesday.

Despite a recovery that the Federal Reserve governors described as broad-based, gaining in strength every day and likely to continue for the remainder of 1993, one which should create millions of new jobs and without any additional intervention, the Democrat administration wants to plow ahead with their unneeded and expensive economic stimulus, and how many new jobs will their stimulus plan create?

Well, according to OMB, 209,000 jobs will be created or added to the work force as a result of this so-called economic stimulus legislation.

How much will the Clinton program cost? The bill will cost over \$16 billion.

Now let us do a little arithmetic. That means that each job created by Government intervention and the Clinton administration will cost \$93,300, almost a hundred thousand dollar price tag to the American taxpayer for each job created by the Clinton administration.

Mr. Speaker, I do not think the Government should be in the business of creating 100,000 jobs for a small group of Americans, especially when the economy on its own is creating monthly twice as many jobs as the total projected to be created by the entire Clinton economic stimulus package without Government intervention or without any cost to the American taxpayer.

Mr. Speaker, Members of the House, if the President really wants to help out long-term economic growth, he should concentrate on cutting spending, not increasing it, not adding to the deficit and making the American people pay that back.

CLINTON ADMINISTRATION PLANNING TO SEND 20,000 AMERICAN TROOPS INTO BOSNIA

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, today's New York Times reports that the Clinton administration plans to send up to 20,000 American troops into the killing zone of Bosnia. This is supposed to be part of a so-called U.N. peacekeeping force.

But the military planners know the truth: The civil war will continue. That means American troops will be caught in the middle—targets for the artillery, the machineguns, and the snipers.

Mr. Speaker, some of us haven't forgotten what happened to our marines in Lebanon. And some of us see our troops being shot at in Somalia.

And we know Bosnia will be much worse for American troops.

The Clinton plan is a prescription for disaster.

And one has to wonder why a man who avoided serving his country in war, why a man who protested in Europe against his own country, is now so eager to put American troops in the middle of a conflict that we can never solve.

Mr. President, on behalf of those Americans who are willing to serve their country, I appeal to you, don't use American troops as your political pawns.

□ 1610

GOVERNMENT REGULATION

(Mr. GOODLATTE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLATTE. Mr. Speaker, since my election to Congress I've heard from many constituents frustrated with Federal regulations on business.

A small business owner in Allegheny County was told by an OSHA bureaucrat after a surprise visit that he had the safest, best run facility he had ever inspected. Then the businessowner was fined \$1,300 for not having his paperwork up to date.

Another business executive in Lynchburg told me that it's easier to deal with the Socialist French Government than our own Federal Government.

The U.S. Chamber of Commerce estimates that Federal regulations cost each American family more than \$4,000 per year. Others estimate this cost to be in excess of \$10,000 per household.

Overregulation is the great hidden addition to the Federal budget deficit. When businesses must meet needless paperwork requirements, they have less money to pay higher wages to workers and dividends to investors. Smaller paychecks mean less revenue to the Government and a bigger deficit.

Congress must slash the Government redtape that makes it difficult for businessowners to earn a living. But it's frustrating dealing with those in Congress who still believe the Government can solve all of society's problems.

If left unchecked, new regulations will reduce business profits, raise prices, and limit economic growth. Ultimately, it's consumers who shoulder the regulatory burden of this hidden form of taxation.

REAL CAMPAIGN FINANCE REFORM

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore (Mr. LANCASTER). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GREENWOOD. Mr. Speaker, I'm a new Member of Congress. Before I was elected, I would see on C-Span a Congressman speaking to an essentially empty House, and I thought it fairly odd. So I haven't come to the well to make one of these special order speeches until now.

But today I want to speak directly to all those Americans who are interested enough in our Government to watch the House in session even to the final fall of the gavel. I want to talk about campaign finance reform—real campaign finance reform.

The campaign last year in my congressional district was very expensive. My committee raised and spent \$750,000. The incumbent we defeated outspent us by nearly one-half a million dollars. The difference reflected his ability to collect hundreds of thousands of dollars in political action committee, or PAC dollars.

I'm not here to condemn PAC's.

PAC's solicit voluntary political contributions from employees or union members and then contribute sums of up to \$10,000 per election to selected candidates for Congress. The argument that can be made in support of the PAC system is that it enables like-minded individuals to join together to support candidates who support their philosophy or who are sensitive to their particular needs and interests.

But there are strong arguments that must be made to demonstrate why the time has come to enact real campaign finance reform—reform that does away with the PAC system entirely. Last week I announced that I simply will not accept PAC money for my reelection campaigns. It's a tough thing to do, but I'm convinced it's the right thing to do.

What's wrong with the PAC system? First, it undermines the public's confidence in the independence and integrity of its elected Representatives.

When a Member of Congress casts votes critical to the interests of a particular labor union, industry, or trade association on one day, and then solicits these same interests for financial contributions the next, he or she creates at least the appearance of basing his or her vote on what's good for the contributor and not on what's good for the people he or she represents. Our duty must not be to just avoid conflict of interest; our duty must be to avoid even the appearance of conflict of interest.

Second, it protects incumbents and allows outside interests to dominate local concerns.

Picture the case of an incumbent Member of Congress who has been here too long and who has become out of

touch with the voters. He or she is challenged by a bright, dynamic individual who may be willing to work harder, may be more representative of the district's voters, and all in all has a better message. The challenger may even be able to attract more individual contributors from within the district. But the incumbent is the chairman of an important committee or subcommittee. The PAC dollars flow to the incumbent from all over the country. The incumbent dominates the airways with slick, misleading television ads attacking the challenger. The challenger's message is overwhelmed. The incumbent is reelected largely on the strength of special interest money from out of State. Power and position win. Principle loses again.

Third, the PAC system reduces the incentive for individual voters to get personally involved in choosing which candidate to support.

For example, under the PAC system we have today, a union member may give money to a political action committee—and completely dismiss his or her responsibility as a voter to evaluate the candidate on a wide agenda of issues. Neither voters nor candidates are one-dimensional. Steamfitters shouldn't judge candidates based only on their views on steamfitting. Neither should doctors, lawyers, teachers, or anyone else limit the evaluation of a candidate to one narrow band of issues. When a donation comes directly from the voter to the candidate of choice, the contributor will be more inclined to consider more of the candidate's views on a greater spectrum of issues.

Americans voted for change last November. They voted for reform. They don't want symbolic gestures, press releases, or studies. They want results. Real reform means campaign finance reform. And real campaign finance reform means doing away with the PAC system and returning political power to the voters of each congressional district.

ATTORNEY GENERAL INVOLVEMENT IN JURY SELECTION IN TENNESSEE

Mr. SCHIFF. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

Mr. SCHIFF. Mr. Speaker, I want to address an ongoing controversy that deals with the Acting Attorney General of the United States, Mr. Stuart Gerson, and the allegation that Mr. Gerson chose to involve the Justice Department in the jury selection process involving the trial of our colleague, Representative FORD, from the State of Tennessee.

It is my understanding that Mr. Gerson directed the U.S. attorneys ac-

tually involved in the case to change their position that they had in the midst of the jury selection process, and basically to adopt the position advanced by Representative FORD's attorneys.

It is my understanding that over that, at least one U.S. attorney in the State of Tennessee resigned on the spot, and indeed the judge rejected the argument advanced by Representative FORD's attorneys and by then the U.S. attorneys and continued the jury selection process, and the matter is now at trial.

Of course, I do not express any opinion on the merits of that case that is now at trial. I am addressing only the involvement of the Justice Department in the jury selection matter.

The suggestion was made, and hence the controversy, that the Attorney General of the United States acted on this matter under political pressure, particularly under political pressure from the White House. However, the White House, the President of the United States, the administration, and the Acting Attorney General, have all denied this. They have all stated that the Acting Attorney General acted solely on his own and made the decision by himself. And I want to state that I have no reason to challenge this decision, and I accept that explanation as given.

However, I do not accept that that explanation should end the controversy. I personally am not aware of any situation previously where an Attorney General or Acting Attorney General directed a U.S. attorney or assistant U.S. attorney to change their position on jury selection in the middle of a case. As far as I know, that is unprecedented.

Even if this matter does not involve political pressure from the administration, which again I accept as not the case, it still raises the question was some action taken in this case by the Justice Department, because, and simply because, the defendant on trial is a Member of the House of Representatives, that would not have been taken in an identical set of circumstances if the defendant were not a Member of the House of Representatives?

Mr. Speaker, I therefore think that this matter still warrants inquiry and investigation. I have written to the subcommittee chairmen of jurisdiction on both the Committee on the Judiciary and the Committee on Government Operations, both of which I serve on as members of the full committee, asking their subcommittees to hold an investigation, a hearing on this matter, in which the Acting Attorney General of the United States can come forward and explain his involvement in this case and explain his reasons and allow us to question those reasons. If adequate reason is given, then that would put the matter to rest. But right now,

Mr. Speaker, I regret to say that I think the whole matter is being swept under the rug.

THE WORLD TRADE CENTER BOMBING

Mr. FRANKS of New Jersey. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey [Mr. FRANKS] is recognized for 5 minutes.

Mr. FRANKS of New Jersey. Mr. Speaker, I was shocked and appalled, along with the rest of our Nation, at the recent terrorist bombing of the World Trade Center in New York City. This cowardly attack left 5 people dead, and injured over 1,000 innocent people.

Yesterday, the FBI announced yet another arrest in this case. The FBI captured a Kuwaiti immigrant who allegedly helped make the bombs used in this incident. I believe that our Nation owes the FBI and all our law enforcement officials who participated in this investigation a debt of gratitude for their swift work in bringing these criminals to justice.

However, while the FBI's investigative work after the blast has been exemplary, their work before the bombing deserves further scrutiny. For example, it is now known that Mr. Salameh, the man who allegedly rented the van used in the bombing, was under surveillance by the FBI for his connection with Sheik Omar Abdel Rahman. My colleagues may recall that Sheik Rahman is the radical Moslem cleric who was tried and acquitted in Egypt for the 1981 assassination of President Anwar Sadat.

What is even more disturbing is that Sheik Rahman's name appears on a Federal Government list of suspected terrorists. This raises a fundamental question. How did this man get into the country in the first place? The Federal Government is now trying to deport Sheik Rahman, but to date has been unsuccessful. I find it unconscionable that our immigration laws are either so lax or poorly enforced that we are unable to quickly deport a man like Sheik Rahman.

Protecting the World Trade Center also deserves added attention. Today's New York Times reported that the Port Authority of New York and New Jersey's office of special planning, whose job is to assess security, had once recommended closing the garage where the blast occurred because it seemed to invite a car attack. For whatever reason, that recommendation was disregarded. In light of recent events, I urge the port authority to re-examine all of its security measures.

Mr. Speaker, many of my constituents work in the World Trade Center and had to go through this terrible ordeal. Although according to the FBI this incident appears to be the work of a relatively unsophisticated group of saboteurs, we must nevertheless remain ever vigilant in our fight against international terrorism. Finally, to better protect our citizens, the House should move expeditiously to pass legislation that would make acts of domestic and international terrorism a Federal crime punishable by the death penalty.

HOMOSEXUALS IN THE MILITARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DORNAN] is recognized for 60 minutes.

Mr. DORNAN. Mr. Speaker, with the rush of business yesterday on the authorization bill for the National Institutes of Health, I was unable to come to the floor about an article on the front page of the Washington Times that really has me upset at the Pentagon. And that is pretty rare, because I admire our women and men in uniform serving our country.

It is about a lieutenant that was silenced by the Pentagon. The Washington Times front page headline is "Pro-ban Lieutenant Silenced," meaning he is for the ban on allowing professed, avowed homosexuals, that is by definition activists, to be recruited or to stay in the military once they come out of privacy.

I do not use that stupid, ignorant, pejorative term "in the closet"; privacy over sexual conduct has nothing to do with a bad, naughty stepmother making you hide in a dark closet. It is just what it says, privacy.

And for those that want to proclaim openly their homosexuality, which is that very important proclamation, is, therefore, an admission of homosexual activity or activism in the military services, is something that has got to be blocked and stopped and the current policy should be respected.

So let us look at this story, because I am glad, in a way, I did not come to the floor yesterday, because I have researched who this gentleman is, this Navy lieutenant, David Quint, and find out that the plot thickens, because he is an Annapolis graduate. And at the Naval Academy up the road here in Maryland his roommate was one of the nine battalion commanders who has now become the poster boy of homosexual activism vis-a-vis the military because his name is Joseph Stefans.

He lives in New York now, in a homosexual relationship that he refuses to talk about. But I have seen this Joseph Stefans get front page coverage in Sunday magazine supplements to the New York Times, I believe also the Washington Post, People magazine, several

page coverage, all of it glorifying him as this great loss to the U.S. military.

I debated Mr. Stefans, formerly a midshipman. He was kicked out, I think, as long ago as April 1987, in his last year at the Naval Academy.

I have debated him on the "Larry King Show," a nationwide show of some repute and a show that creates Presidential candidates, as a matter of fact. And I have also debated him on "Nightline," a loaded deck. The host, Forrest Sawyer, always introduced as a Reagan defense expert but liberal in nature, Larry Korb, three against one, but I have been against Stefans twice on television. And in between the "Nightline" appearance, where I would say the truncated, imbalanced debate was a draw, I was visited in my office by a Marine colonel, an Army Marine colonel, a Navy full captain, and an Air Force colonel explaining, this is months ago, explaining how they never go on the media, spokesmen from the Pentagon, because "We always lose, the deck is always stacked by the media culture against us, as it was against you, Mr. DORNAN." They said, "However, we never lose in court."

And they never did in a local decision last or a few weeks ago out in Los Angeles by a Federal judge, which pertained only to his jurisdiction there in southern California. So that is pretty good, 99.9 percent history rate in court for maintaining this ban against avowed, open, professed, activist homosexuals in the military.

Let me go into this article a little bit, Mr. Speaker, and try and see what we can learn from this, elucidate this issue a bit.

A little quoting here from Rowan Scarborough's article.

"Naval Spokesman Angered Superiors" is the subtitle.

"The Navy has muzzled an official spokesman," official spokesman of the public information office for all matters of naval importance, "for expressing his opposition to lifting the ban on homosexuals in the military."

He was muzzled.

"The Public Affairs Officer, Lt. David Quint, was threatened with disciplinary action if he did not stop that advocacy as a naval officer."

□ 1630

In other words, if he did not stop upholding a 50-year policy that is actually a several hundred year policy. "Lieutenant Quint declined to comment yesterday, saying any utterance might place him in violation of the gag order."

I may just be contacting Lieutenant Quint to come up to the Hill and speak before one of my subcommittees of the Committee on Armed Services, including having his commanders invited up here.

"Friends of the naval officer said the Pentagon spokesman believes the Navy

violated his freedom of speech." I am inclined to believe that, also.

The acquaintances, one of whom provided the disciplinary memo to the Times, complained that the Navy took no similar action during the past two years of public debate on women in combat. During that time, female officers in uniform gave numerous press interviews on their opposition to the current combat ban.

Let me discuss that statement, because it is not only true, this Member of the U.S. House of Representatives from California witnessed this. Not only did women in uniform give interviews, and they were almost always officers, because enlisted women, 95 percent said "We do not want to be in combat," but because of career advancement reasons, and I will concede, maybe some courage in many of the cases, they not only gave interviews in uniform, female officers, but I went over to the Senate side because this Chamber, Mr. Speaker, as we know gutted out on this issue.

We did not have day one, not a minute of hearings on women in combat in the military. We have not even thoroughly debated women in support combat units and what is happening: for example, 18-percent pregnancy rate of all women who go to sea on our auxiliary support ships. We have not even debated that. But in this House there was no debate. We deferred to the Senate.

The Senate got it out, except it set up a commission, thanks to senior Democrat, ex-Marine officer and Mig, almost an ace, shot down three Mig's in Korea, astronaut hero JOHN GLENN of *Freedom 7* fame, and the first missile program we ever had, the first man to orbit the globe; and POW hero for 6½ years, JOHN MCCAIN, Republican Senator.

Thanks to those two taking the lead, we had a commission on women. I thought it was a pretty balanced commission. All viewpoints were heard. They issued a decision, an advisory decision to then-President Bush that women should not be in combat.

When I testified before that commission and went over there and had discussions in the halls and did a little lobbying, I saw women in uniform, I think particularly of two Army captains in uniform, lobbying.

My own past is not particularly perfect in this area. I marched with Reverend Dr. Martin Luther King on August 28, 1963, Mr. Speaker, in my Air Force uniform with two rows of peacetime fighter pilot ribbons, my Air Force silver wings, my captain's bars, my summer silver tans, the uniform long gone.

I knew I was probably violating a military regulation for making a political statement on civil rights and using my uniform to do it. I was 27 years of age, excuse me, I had just turned 30, 1963, and I have pictures in front of the Washington Monument sitting with a

whole delegation of some pretty famous people, since I was not known outside of my own family, sitting next to the late Sammy Davis, Jr.; the late fine actor Robert Ryan; the late great screenwriter of "Judgment at Nuremberg," just coming off an Academy Award, Abby Mann; the fine actor and Korean Army veteran and liaison pilot James Garner. We were all there in this delegation.

All I had to offer was my Air Force captain's uniform. I was willing to put my career on the line because the Kennedy brothers were hiding in the White House. They did not want to get out in front of Dr. King.

I was proud to be there in August 1963, because I had flown with African-Americans, then called black officers, who taught me to fly a fighter and flew with me in F-100's at George Air Force Base; Fig Newton in the adjoining squadron, my own flight commander who is now a medical doctor, heard from him the first time in 35 years the other day; retired Major Wilson, who was my flight commander a few years before at George Air Force Base.

I was proud to march in my uniform. My best memory of that day, other than looking around and seeing the tears flowing down everybody's face as Dr. King made that beautiful "I Have a Dream" speech about all of us living in harmony, with brotherhood really meaning something, I remember walking down Constitution Avenue, I think it was the parade approach to this gathering of some 250,000 people, without even a fistfight, not a harsh word, not a scuffle that I knew of.

I remember a little child coming up to me, a black child, a little boy. He says to me, "Sir, are you guarding or marching?" And I said, "I am marching, son." And he slipped his hand into mine and for fully half that march, all the way up until he went his way in front of the Lincoln Memorial, I held that little black child's hand.

I never wore my Air Force captain's uniform more proudly than I did that day. The fact is, people told me later when they saw the photographs come back, and you can check them in my office, I am proud of them, they said, "You broke Air Force regulations. You were making a statement in your uniform and you were not supposed to do that." This article kind of gets into that.

There are some issues that transcend a rule that limits the freedom of speech of our men and women, officers and enlisted, who are on active duty or even are quite active in the Reserve.

Listen to the rest of this article: "The Quint Case," and I do not like the sound of that, and I am sure Lt. David Quint does not, either, "the Quint case illustrates the tightrope pro-ban officers, including the Joint Chiefs of Staff," and now we are talking about people with eight stars, four on each

shoulder, "walk as they attempt to implement President Clinton's order to ease some restrictions on homosexuals in the Armed Forces.

"It also shows, according to allies of Lieutenant Quint, how senior officers moved to stamp out dissent on the issue so as not to appear in opposition. The President is preparing to order the ban lifted on July 15"; not until we have had hearings here and in Senator NUNN's Committee on Armed Services, and in the subcommittee of my good friend, Chairman IKE SKELTON.

The hearings have been put off for a week. We do not have to appear on St. Patrick's Day next week, but the week after on the full Committee on Armed Services. We are a bit out of sync. We should have Mr. SKELTON's subcommittee hearings first and then the full committee, but people are interested in this.

The article continues: "All six members of the Joint Chiefs, including the chairman, Gen. Colin Powell," proudly of African-American descent, by way of his parents coming as immigrants to the United States that they loved from Jamaica and becoming citizens, they all oppose, the Joint Chiefs, removing the ban. "But they stopped expressing that view publicly so as not to contradict Mr. Clinton, the Commander in Chief."

"Lieutenant Quint's superiors ordered him to stop talking the same day senior Pentagon officials 'chewed out' several Admirals for an anti-homosexual comment in the New York Times that was attributed by name to a senior Navy spokesman," a lieutenant commander, by the way.

"Navy sources said the unhappy senior officials include General Powell. But the General's spokesman, Col. Bill Smullen, said 'I'm not aware of that, and I am sure I would have been apprised of that.'" I will bet he would, too. So people in the press are cranking in Colin Powell without his permission.

"Lieutenant Quint expressed his views in several forums," including conservative radio talk shows; are there any other talk shows these days, other than conservative ones; "including the Christian Broadcasting Service on cable TV." That was either their new show or their new 700 Club.

"He also addressed the issue during duty hours in his work space;" his superiors claim, at the Navy's Central Public Affairs Office in the Pentagon. "Because previous counseling apparently has not been heeded, this letter is directive in nature," said a memo to Lieutenant Quint from Cap. Fred Leeder, Deputy Chief of Information."

Captain Fred, you will hear from Congressman BOB DORNAN from California. I want to chat with you, Fred. I admire guys in uniform. A full captain like you, that would be a colonel in my service or my dad's Army service. I want to talk to you, Fred; want to find

out from you what you think of homosexuals in the military. It is my privilege to quote you or not, but I have a right to ask you as a Congressman who sets your pay scale.

"You will refrain immediately," says Fred Leeder, to his lieutenant, "from any activity detailed in this letter * * * Violation of this directive may result in disciplinary action which could affect your continued assignment and your professional record."

This to an Annapolis graduate means "They are going to wreck your career, and I will help them do it if you don't back off." Did anybody tell this to these women who were over on the Senate side and had been on this House side moving in and out of our offices, in uniform, arguing for women in combat?

The reason I never came to the floor on that or objected to it was because, I will say this to these women, they were not trying to get out of something, and that is the kind of letters I get from parents or people in the military, to which I write back and say, "I cannot help you get out of anything."

If somebody said to me they want to get into the Special Forces, get on the Delta team, go to pilot training, get into submarine service, get into helicopter school, get into Special Forces, they want to do something, they want to get into a combat unit and put their lives in harm's way if we go to war, small or large, I bend every rule in my office to help people get into something.

These women were fighting to get into combat. I knew they were bending their free speech that is limited by wearing the uniform, but I did not say anything. However, now this double standard: Women in combat, which I was never convinced was correct, they are allowed to lobby, but when it comes to keeping people who are disrespected by 95 percent of the military, and I feel like saying 99 percent, because they think they are morally corrupt because their gender orientation is to their own sex, anybody who is a strict biblical student or who is an orthodox Jewish, Catholic, Protestant, or any faith, certainly orthodox Islam, finds it morally offensive to take orders from somebody they consider morally corrupt.

This cannot be compared to Harry Truman's order of July 26, 1948. Anybody who went to the Bible that we use when people are sworn in, and didn't President Clinton put his hand on his mamma Kelly's Bible when he was sworn in?

□ 1640

Well, if anybody said I will not follow that person because of the color of their skin, you could go to the Bible and say nothing wrong with that person morally. You are a bigot, you are a racist, you are corrupt by scripture. You are corrupt by Jewish, Catholic, or

the teachings of the major religions in the world. What Harry Truman is doing is correct, and besides, folks, get this, there were tens of thousands of people of color in uniform in 1948. It is just that they were segregated in their own units, and demeaning to their dignity in some of the units the officers were white. And that went all the way back to the Civil War. Crispus Attucks, an African Englishman, actually, or whatever you would call a pre-colonial American, died at Lexington Green in April 1775. A black American gives his life for his country, Crispus Attucks.

If anybody saw the movie, "Glory," and did not have tears come to their eyes with the 54th Regiment, led by Col. Bob Shaw, a white officer of Boston still in his twenties, and the attack on Battery Wagner, now called Fort Wagner, which was not more than a battery at that time, that black regiment brought such glory then to all black units throughout the Civil War on the Union side that it is incredible that it took from 1864 in that battle all the way until 1948 to integrate black units in with every other unit in the country.

This cannot be compared to telling an officer or an enlisted man who refuses to follow somebody because he is an avowed homosexual, because when you go to the Bible in that instance, whether it is in Genesis, or the third book of the Pentateuch, which is called the Torah in the Jewish law, the first five books of the Bible, book one and three are very explicit about homosexuality. An abomination. In St. Paul's letters to the Romans when he takes the word of Jesus across the then-known Mediterranean world, writing to no less than the Romans themselves, he points out what an abomination it is.

Go to the Bible, these officers. I am sure Lieutenant Quint as a roommate of the poor, pathetic poster boy, Joseph Stephens of the homosexual movement, I am sure he feels nothing but pain, sorrow, and friendship for Joe from his Annapolis days, and this is what may be causing him to speak out.

Let me get back to the "Larry King Show." I did not tell you what all of the senior field-grade officers, the colonels and the Navy captains told me in my office, that Stephens lies when he goes on a television show, and said he never engaged in homosexual conduct, that he only told a couple of friends, and then by implication they ratted on him and destroyed his naval career as an officer. They showed me documentation that two freshmen on the main Annapolis choir—Joe Stephens used to be a practicing Catholic, I am sure. He is from a small town in North Dakota, the only kid from that area ever to go to one of our service academies, traditional Scandinavian Catholic family, two sisters, mother, dad, all broken hearted over this. So he is on the

Catholic choir because the whole Annapolis choir travels more, and he switched over to the main Annapolis choir. He sang the "Star Spangled Banner" back at the Army-Navy games of 1986-87 and the 1985-86 season when he went to the main, big choir which travels around the country, scholastic requirements notwithstanding. He woke up two freshmen at night, and I see in this print from the Navy document, he was rubbing their stomachs. In other words, a pass, a pitch, a move, hitting upon freshmen as a senior battalion commander, one of the eight gays. I put this proposition right in his face on the "Larry King Show," and he turned ashen white, even under his makeup, and he fled the studio. Larry King said, "Well, you sure hit him." And I said go to confession, Joe, and make a confession, make a general confession to ease the pain for your mother, father, and sisters, and get back in God's graces, and stop being used by those crazed homosexual movement people like Act Up in New York there. But he did not take the advice and he fled. I pray for Joe occasionally. He will come together someday. I am going to follow this thing through to its logical conclusion. We are suppressing people's freedom of speech on the key issue of a military unit's cohesiveness, combat readiness, morality, yes, and health, yes. I am probably not going to discuss the morality issue in the subcommittee or in the full committee hearings, or maybe not again on the floor until the dust has settled on the military aspects of homosexuals in the military.

Closing out this Washington Times headline article from yesterday, March 10, here is the payoff: "Captain Leeder issued the memo the same day another spokesman, Comdr. Craig Quigley," and he would be a lieutenant colonel in the Marine Corps, Air Force, or the Army, a middle grade, field grade officer, he was quoted in a New York Times story headlined "Military Cites Wide Range of Reasons for Its Gay Ban."

My staff will have that article waiting for me when I get back to my office this evening over the computer Nexus system. Hint.

The commander was quoted as saying, this is Quigley, "Homosexuals are notoriously promiscuous." Statement of fact. I will take it from him and make it my statement. Statement of Congressman BOB DORNAN from California, homosexuals are notoriously promiscuous, period, fact. Every survey ever done fairly in the history of modern times.

"Sources said General Powell," Colin Powell, "troubled by persistent reports the Pentagon is bucking Mr. Clinton on the issue, was angered and relayed his feelings to the Navy."

"After the quote appeared, Rear Admiral Kendell Pease—" I think I will be calling Admiral Pease. Some of

these folks out across America may want to call him too, Mr. Speaker. He is Navy Chief of Information. That is way up the chain of command of Lt. David Quint. He "ordered his subordinates to make no further comment on homosexuals in the military."

Now how are we going to learn from people in uniform what they think about this issue if they are all furious about it, if morale at the Pentagon is on the floor, and starting with what they have as a Commander in Chief, a former demonstrator, not a draft dodger, but somebody whogot drafted and had his show-up date of 1969 squelched politically, a little different from evading, but changing the draft notice and making somebody else take your place. Or that weak salute. That spread through the corps kind of poorly, a guy who kind of is popping a half salute, and morale is at the bottom at the Pentagon. Everybody listening at the Pentagon knows that, and now you are suppressing them on an issue that is ripping the morale of the military services even further.

Then on that same page Quigley caused this admiral's memo to come out, and that is the day that Lieutenant Quint was reprimanded via the memo.

"Quigley said," 2 days ago, "he knew of no repercussions or complaints from General Powell because of his quote in the New York Times. He said his statement about homosexual promiscuity was not comparable to Lieutenant Quint's statements in opposition to homosexuals in the military. He said his statement was based on research articles he read," now backed up by DORNAN on the House floor.

Commander Quigley, "declined to discuss the Quint case. 'I would never discuss with you the counseling of any junior officer by a senior officer.'" I like that. Good going, Craig Quigley.

"But he added, as a general principle, that 'if a Navy spokesperson has very strong personal convictions on a subject, any subject,'—any subject? Any subject, something we are going to have hearings on in the House and the Senate? And this had been a national issue since Veterans Day when the President-Elect brought it up in the rotunda on Veterans Day in Little Rock, AR, the rotunda of the State Capitol. "any subject, he or she must be very careful to separate their professional role from their personal convictions."

In other words, BOB DORNAN should not have worn his military uniform and marched with Martin Luther King? Probably. And all of these women should not wear their uniforms when they come here to lobby for women in combat. Lieutenant Quigley should not have worn his uniform to make statements about being in the military if he is on active duty. Free speech, suppressing speech.

Let me tell you my experience. I think it is probably that Quint started

to talk about his roommate, poster boy, gay midshipman, sounds like a Dick Powell 1930's movie, "The Gay Midshipman," which was a headline in the Washington Post article, and in one magazine, a posh, Hollywood elitist magazine they had a full-page picture of Stephens with his mouth wide open, and it looked like an ad for the former Morton Downey Show, screaming, the primal scream, you open it up and it's screaming out unfairness in the Naval Academy by not letting him go on active duty as a known homosexual.

So let me close this article. I am continuing to quote Commander Quigley.

"If it is felt that they are crossing the line and blurring the two roles, then it is appropriate and expected for a more senior, more experienced individual would counsel that person on their performance," he said.

"A Navy captain, who asked not to be named"—here comes more guts on the parts of these guys that are fighting our wars for us. I have seen people who have had 300 or 400 combat missions in North Vietnam, rolling in against SAM missiles, MiG interference, flying from Bob McNamara's MiG sanctuaries, unbelievable, Russian supplied, directed antiaircraft fire, and it is known and able to be called factually the most dangerous air warfare environment in the history of flying since the Wright brothers in 1903.

□ 1650

They will have 300 or 400 combat missions, 6 rows of medals, Air Force Cross, Navy Cross, Silver Stars, several times, multiple Distinguished Flying Crosses, and Air Medals, and you tell them that they have to go and testify on Capitol Hill and they pale. I cannot understand that. I do not know why more military people are not up here volunteering to tell us what a dangerous world it is and why these savage cuts of the Clinton administration are going to serve this country poorly, not just 10 years from now but probably as short a period as 4 years from now.

I want people in the military, to use their own expression, to fall on your sword more, get on a white charger like Paul Revere, and ride across this country and tell the truth. It might cost you your career, but you are going to sleep better at night, and not only your grandchildren but your great-grandchildren are going to talk about you in the same way that we talk about great military heroes who gave the warning to their Nation in times when people thought the military was not important anymore.

What is Kipling's poem? "He's Tommy this, and he's Tommy that. Throw him out of here, the brute. But he's the hero of his country when the guns begin to shoot." We are entering that same period again of disrespect for the military.

So this brave, anonymous Navy captain said that the Navy is extremely

fearful of offending Mr. Clinton and jeopardizing its standing in budget negotiations with Defense Secretary Les Aspin and the White House.

There are some worst-case scenarios that the Navy's once-growing fleet of nearly 600 ships in the 1980's will shrink to 300 vessels during the Clinton administration. If naval officers, distinguished men and women of high rank, believe that this administration is going to be so petty as to cut naval combat vessels, to cut into the meat and the bone marrow of our national security because they take a stand based on combat-unit cohesiveness, readiness or even morality, that loss-of-respect factor between enlisted kids and their petty officers or NCO sergeants or younger officers in the field grade, if not flag grade, people in the service, if they are afraid to speak out on that, what a mess our military is going to be in.

So all of the aforementioned people I will be calling over the next few days at the Pentagon. I will tell you this: I know what is going on over there. I know there are about 157 Deputy Assistant Secretaries, Assistant Secretaries; a principal Deputy Assistant Secretary is 157 civilian positions unfilled, because my friend and former colleague here for 16 years, Les Aspin, is unable to get these positions filled because the White House wants to sign off on them. That is not the way Mel Laird accepted the Secretary of Defense job under Richard Nixon.

He told his former colleague from this House, President Nixon, he said, "I will answer to you, but you let me pick my own team, and I will leave the House, and I will take that job as Secretary of Defense." And that is the way it works best in a lot of these cases.

Do you know what they are all whispering over there? They are saying that they think that this current Commander in Chief is waiting until the dust settles on some other problems including homosexuals, avowed homosexuals being allowed in the military, and that he is going to stuff these civilian jobs over there with former flower children from the 1960's who also chanted in the streets, "Ho, Ho, Ho Chi Minh, the Viet Cong or the North Vietnamese are going to win. Hey, hey, LBJ, how many kids did you kill today?"

Strobe Talbott, now an ambassador designate to be ambassador to all of the former Soviet republics, a former senior editor of Time magazine, admitted in a disingenuous, if not totally deceitful April 6 Time magazine article, trying to cover over Clinton's draft evasion as draft dodging, when in fact he was drafted and had it squelched, as I just said; he covered all of that over which is, I think, a form of lying. Strobe Talbott admitted on the first page of that two-page foldout article in Time magazine of April 6, look it up,

he admitted that he himself, Strobe Talbott, chanted, "Hey, hey, LBJ, how many babies did you kill today," on the campus at Oxford and in the streets of London, and now he is going to be our ambassador and the President's senior adviser on all affairs in Russian or former so-called republics, all Kazakhstan affairs, all Kirghizia, all Turkmenistan, all Moldavia, all Byelorussia affairs are going to be handled by this guy who was pulling for a Communist victory and arguing as a moral equivalency that we were as evil as the Soviet Union during all of this very bloody and very hot cold war period of almost half a century.

Well, I know that morale is on the floor, and homosexuals in the military is a key item that is wrecking the morale. And when I see a brave enlisted man on camera look into a network news camera in Somalia and say, "Hey, he pretty loathed us when he was a graduate student in England, and now it is our time maybe to loathe him."

But I see officers running for cover, because they are afraid they are going to be hurt in the budget, more importantly, that means hurt in their own career. I say to these senior men and women that I admire, stand tall, put your country first, put it ahead of your career.

Who knows, God may have a break for you out there in the professional world with a book or a TV show or a teaching position at some university where you will be more fulfilled than during the period when the country is taking so many hits, and do not go around figuring out how to suppress Lt. David Quint when he may have a story to tell about the poster boy, main spokesman for the liberal media on homosexuals in the military, poor Joseph Stephens who to this day, I guarantee you, is still making life uncomfortable for his sisters, breaking his parents' hearts, even though in the articles you can see that they are trying to be supportive of him and whoever he is living with that he doubletalks, and by the way, Stephens in print, in the most recent article, and I do not remember where, but I think it was in New York magazine, an article, that he said, "I admit at the Academy that I was attracted to certain people. I remember once my leg brushed somebody, and it was very exciting." Do we need this in the military? He said, "Well, you have to know when and where, how to call your shots and all that," yes, like hitting on two freshmen on the Naval Choir, and that is why he got busted out.

So he should stop lying, and Quint should be allowed to tell the truth, and we had better standardized how we treat our people.

I would be satisfied with a ruling that says everybody on active duty can speak out, but you cannot do it in uniform, and you must preface every re-

mark on this issue as, "I am speaking as an individual, yes, with my experience as a sergeant, a petty officer, or an enlisted man or high-ranking officer, I am speaking from that experience, but I am speaking as myself; I do not speak for the Department of the Navy or the U.S. Naval uniformed services."

Let us have some sort of fair ground rules here, because I want to hear these people testify up on this Capitol Hill before Mr. SKELTON's committee, Mr. DELLUMS, my main Armed Services Committee, and the committee of the distinguished Senator from Georgia, SAM NUNN. I want to hear people testify without fear, without fear that it is going to destroy their military career.

On that, I am going to my office to read the New York Times articles, and I yield back the balance of my time, Mr. Speaker.

NATURAL GAS: LESS RELIANCE UPON FOREIGN OIL AND A CLEANER ENVIRONMENT

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent to address the House on today for 5 minutes, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore (Mr. LANCASTER). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TAUZIN. Mr. Speaker, one of the most important goals of the Energy Policy Act of 1992 was the reduction of our Nation's growing dependence upon foreign oil, by encouraging the use of domestically produced alternative fuels like natural gas.

Mr. Speaker, natural gas powered vehicles, one of the prime new users of natural gas, not only help accomplish that goal but also deliver an extra bonus for us, that is, they help us comply with the new requirements of the Clean Air Act Amendments of 1990.

Natural gas powered vehicles are cleaner for the environment and, of course, present a chance for us to use a fuel produced here in America rather than one imported from distant shores.

For many years, the leading, No. 1, in fact, operator of natural gas vehicles in America has very naturally been a natural gas company, Consolidated Natural Gas, one of the Nation's largest interstate natural gas systems, headquartered in Pittsburgh, PA, and, coincidentally, in New Orleans, LA. Consolidated Natural Gas has for a long time had a natural gas powered fleet of trucks and cars that totaled 1,057 vehicles.

Well, I have just learned that recently Consolidated Natural Gas has surrendered its No. 1 position as the No. 1 user of natural gas in vehicles. They have surrendered that position to

the U.S. postal office. The Postal Service has just raised its fleet of natural gas vehicles to 1,070. Of course, Consolidated Natural Gas gladly surrenders that No. 1 spot to the U.S. Postal Service, and by the way, will not be getting back that No. 1 ranking anytime soon, because our U.S. Postal Service intends by September to add another 1,400 natural gas vehicles to its fleets of cars and trucks that deliver the mail for every citizen in this country.

Mr. Speaker, examples like this are occurring all over America as private and governmental fleets are converting to clean-burning natural gas. As we see this occurring, we see one more step toward two important national goals that are good for all American citizens: less reliance upon foreign oil and a cleaner environment for our country.

□ 1700

I salute the U.S. Postal Service. They are showing an example for all of us in America: Government and private fleets could well learn by their example.

More use of natural gas in vehicles in America means less imported oil, more jobs in America, and a cleaner environment for us all.

THE BALKAN CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. SKELTON] is recognized for 60 minutes.

Mr. SKELTON. Mr. Speaker, last month I had the opportunity to travel to Europe, as a member of the Armed Service Committee, when I focused much attention to the on-going crisis in former Yugoslavia. The closer one gets and the more one learns about the situation there, the more intractable the problems in the Balkans seem. To quote Mark Twain: "The more you explain it to me, the more I don't understand it." At present, there are estimated to be over 3 million refugees in the area, and the number will spiral if the fighting spreads to the south into Kosovo and Macedonia.

For almost 1,000 years, the Balkans have hosted one major historical battle after another. The Moslem Ottoman Turks' advance into Europe was halted at roughly the modern Croatian-Serbian border. Before the Turks were driven from Europe many native Balkans had been converted, by force or otherwise, to Islam. Consequently, the conflict between Christianity and Islam remains a potent force in the Balkans and explains much of the present conflict in Bosnia. The Christian rift between Roman Catholic and Orthodox adherents, which occurred in the ninth century, further divided the Balkans.

Balkan history explains the comment of a representative of the International Committee of the Red Cross: The prob-

lem is these people are not dealing with each other as people. If the enemy is not a person, ethnic cleansing, murder, rape, and other atrocities are not inhuman. Thus, in the absence of some external factor, the barbarity is likely to continue.

U.S. INTERESTS

The United States should be extremely cautious in its approach to the crisis. Military commanders and diplomats in Europe uniformly warned against imposing a solution. Such an attempt would require several hundred thousand troops, massive resources, and years of effort.

But the individuals I visited argued with equal force that U.S. interests are at stake in the Balkans. First, Americans are offended at the atrocities on innocent people taking place. Second, our credibility with non-Western peoples is at stake. Third, as the foremost provider of humanitarian relief, it is in the interest of the United States to counteract trends that will greatly enlarge the number of refugees.

And fourth, it is also in the interest of the United States that the approach of the community of nations to the Balkan crisis signal resolve in opposing ethnic barbarity. The disintegration of the former Soviet Union has raised the potential for many others. One estimate places 92,000 refugees in the former Soviet Republic of Georgia, 300,000 in Tajikistan, and 750,000 in Azerbaijan and Armenia. It is in the interest of all nations which seek a stable world that those who would exacerbate the ethnic divisions in the former Soviet Union and elsewhere be discouraged by the multilateral actions taken to resolve the Balkan crisis.

A UNITED STATES VITAL INTEREST IN THE BALKAN CONFLICTS?

Although the foregoing discussion addressed significant U.S. interests, none would perhaps be viewed as vital. The United States does, however, in my view have a vital interest at stake in the Balkans: ensuring that the conflict does not spread beyond the territory of the former Yugoslavia. The potential for world disorder emanating from the Balkans for the second time in this century is greater than most people realize. One expert, Susan Woodward of the Brookings Institution, placed the chances of the war expanding at 98 percent, if no action were taken to limit the present conflict.

Serbian attempts to consolidate Serb positions in Kosovo and expand to the south into Macedonia could trigger increased tensions between Greece and Turkey, sundering the NATO alliance. It might also bring Bulgaria into the conflict to protect ethnic Bulgarians in Macedonia. The Islamic world, already seriously flirting with anti-Western fundamentalism, could be energized to support Moslems in Bosnia, Kosovo, Albania, and elsewhere. Heavy-handed treatment of the Serbs and other Slav-

ic people would draw Russian opposition and undermine progress in United States-Russian relations. Transregional conflict could also see renewed Romanian-Ukrainian fighting over Moldavia, Hungary seeking to protect 400,000 ethnic Hungarians in Serbia and Germany and Austria acting in behalf of Slovenia and Croatia. Italy, only a short distance across the Adriatic, might find it necessary to take independent measures outside the NATO alliance to protect itself.

DILEMMA: WHAT TO DO?

I have concluded that the United States has to be involved, in fact, should lead the effort to end the Balkan crisis. Why must the United States lead? Why not the Europeans? A Turkish diplomat answered the question. Although the United States is understandably reluctant to play the leadership role in crises so far from its shores, countries like Turkey look to the United States, not the European Community or the United Nations, for leadership. As the only superpower, the United States may not want special responsibilities, but, like it or not, the United States has them. A British Ministry of Defense official added to the argument, pointing out that no other entity exists to provide the necessary leadership. Laying Yugoslavia at the doorstep of the fledgling European Community is like giving an essay test to a first grader, he remarked.

Although I do not pretend to have the complete answer, I offer the following as observations on how to proceed.

BUILD A CONCERT OF NATIONS ON THE BALKANS

The United Nations should sanction, under its auspices, a concert of nations with significant interests in containing the Balkan conflict and ending the fighting.

The United States should undertake the vigorous and continuing diplomatic initiative promised by Secretary of State Warren Christopher on February 10 to build the coalition authorized by the United Nations.

As I envision it, the coalition would include two groupings: First, rim countries—Greece, Bulgaria, Romania, Hungary, Austria, Italy, and Albania; second, other nations with direct economic, cultural, religious, ethnic, political, or economic interests in ending the conflict—the United States, Russia, France, Great Britain, Turkey, Germany, Egypt, Spain, Holland, Saudi Arabia, Japan, and Ukraine. Although all of these countries, and others, would be important members, the most crucial after the United States is Russia with its strong ties to Serbia. Ambassador Bartholomew's visit to Russia within hours of being appointed the United States envoy to the United Nations and European Community, Vance-Owen, negotiations on Bosnia signals that the Clinton administration understands this point.

The coalition-building effort would be comparable to that of the Persian

Gulf war, but the nature of the coalition would be different. Unlike the unified opposition of the Persian Gulf coalition to Iraq, many member nations' sympathies with the Balkan belligerents would be at cross purposes. But nations would be persuaded to join the coalition, and remain therein, because they would see it in their larger interests to contain the conflict and end the fighting.

COALITION TASKS

We need to develop a consensus on a strategy to deal with the crisis. The strategy should place pressure on the Balkan belligerents by nations whose larger interests are threatened by spill-over of the Balkan crisis. Many of those with whom I met believe that Russia would support such a strategy if a broad coalition of nations accepts it and if it is applied evenhandedly.

The coalition nations and the belligerents must eventually agree on the future shape of the Balkans—both geographical and political arrangements. Some observers have suggested that this is an impossible task; the parties cannot be persuaded to agree to the postcrisis map of the Balkans. They may be right. The way to find out, however, is to try. One observer told me that "they will stop the fighting when the parties get tired of killing."

The coalition could probably agree on retaining most of the present boundaries and governmental arrangements of the former Yugoslav Republics of Slovenia, Croatia, Kosovo, Macedonia, and Montenegro. This would defuse the suspicions of countries like Turkey and Bulgaria that Serbia is intent upon realizing a centuries-old dream of creating a greater Serbia. To have a chance of acceptance the agreement would have to include safeguards for minorities such as the Serbian Croats and the Hungarian Serbs.

As I mentioned, one official told me that the fighting in the former Yugoslavia will not stop until the participants are sick of it. The coalition's task should be to hasten that point. A number of political sanctions, such as withdrawal of recognition, have not been exacted. With the rim countries' cooperation, the economic embargo could be made much tighter and more effective. Other coalition countries would probably be required to provide financial and security support to secure rim countries' cooperation. The coalition should also consider implementing an information campaign to counteract the propaganda circulated by all sides that fans the flames of the conflict.

It is crucial that the coalition begin preparations for implementation in anticipation of an agreement among the belligerents. The profound distrust among the parties requires that the coalition have overwhelming force at its disposal to move immediately into

Bosnia and other key locations, thus demonstrating to the parties that any agreement that is approved on all sides will be implemented.

As a British official emphasized, this task requires the coalition to decide what to do, and who is going to do it.

The what to do would entail such things as deciding how many and what types of forces are needed, under what command arrangements, what positions they would occupy, rules of engagement, where border patrols and border crossings would be established, how heavy weapons would be collected and impounded, how air space would be controlled, how initial civil administration would be initiated and elections scheduled and monitored.

Who is going to do it poses a difficult question for the United States. I envision the U.S. role as much more crucial to the diplomatic effort of building the coalition than to leading the implementation effort with large numbers of U.S. troops on the ground. Because of its unique ability to project power, the United States would of necessity be required to assist in sea patrols, as at present, and air cover as well as to provide logistics support, probably including sealift, and help in establishing and maintaining command, control, and communications.

Who is going to do it poses problems for the coalition beyond the question of the specific contribution of the United States and other nations. The best advice I heard was that some existing NATO forces should be de-NATOized to participate with the forces of other nations from Russia, Eastern Europe, and elsewhere in a coalition military force. Command and control capabilities and commensurate military leadership would be vital part of the NATO package provided to the coalition.

USE OF FORCE

Should the United Nations collectively, or the United States unilaterally, use force in the territory of the former Yugoslavia? The officials with whom I met were most divided on this question.

The Turks believe that a multinational show of force—bombing Serbian installations and forces—is necessary to show resolve. Moreover, the Turks believe that Serbia is likely to back down in reaction to such a demonstration of resolve. They caution, however, that a united international front, including Russia in particular, must agree or at least acquiesce in the use of force.

British and U.N. officials, and others with whom I met, disagree wholeheartedly with Turkey on the use of force. The military units assisting the U.N. convoys, principally from France, Britain, and Spain, are very light forces. There is a great deal of concern among all of the participants that any use of force will endanger humanitarian assistance personnel. We are

pleased to see, thus far, that the United States C-30 air drops over Bosnia are successful.

Those who oppose the use of force in the Balkans also argue that they doubt that it would have the desired effect. Short of placing several hundred thousand troops on the ground to impose a resolution—which would last only as long as the troops remained in place—the only possibility of ending the bloodshed, they believe, is to persuade the parties to negotiate and agree on a settlement.

Having listened to these and other arguments, I oppose the use of force at present as a means of compelling a cessation of hostilities. The situation of the United Nations military and civilian personnel is too reminiscent of that of the United States marines in Lebanon in 1983. When the factions altered their perception of the marines from neutral to favoring the Government, it was only a matter of months until the terrorist attack took the lives of 241 young American marines. As I emphasized previously, the United States should at present focus on diplomacy, building and leading a coalition to bank the flames of the Balkan fires.

At the same time I think the question of using force in the future should be left open. No great power caught in a dilemma like that posed by the Balkans should willingly forgo the advantage afforded by deliberately shrouding how it will make use of the vast means at its disposal to solve its problem. U.S. officials weaken our hand when they make statements that remove the ambiguity about whether, when, and how we shall use force.

Whether the United States should provide ground units as part of the coalition force should remain an open question for now. Ideally, that force should be comprised of nations whose military units would not arouse the attention that would inevitably accompany U.S. troops.

CONCLUSION

The crisis in Yugoslavia has been a test for the European Community and for the United States. America did not take a leading role in efforts to contain the Balkan crisis. American leaders were quite willing to have Europeans, through the European Community, shoulder the effort on this matter. After all, it was thought that this was a matter of vital interest for the Europeans.

The lesson of this sad story is that American leadership is still needed in the post-cold-war era. American leaders must be on watch for developing crises, get involved early, and try to head off problems. This is especially true for those crises that have the potential for involving friends and allies in direct conflict.

□ 1710

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on House Administration:

COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, September 11, 1992.

Hon. TOM S. FOLEY,
Speaker of the House, H-204, the Capitol, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L of the Rules of the House that the Custodian of Records of the Committee on House Administration has been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the House, I have determined that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

Sincerely,

CHARLIE ROSE,
Chairman.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
February 22, 1993.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L (50) of the Rules of the House I have been served with a subpoena issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel of the House, I have determined that compliance with the subpoena is not inconsistent with the privileges and precedents of the House.

With great respect, I am

Sincerely yours,

DONALD K. ANDERSON,
Clerk, House of Representatives.

APPOINTMENT FOR DEPUTY ASSISTANT IN THE OFFICE OF TERRITORIAL AND INTERIOR AFFAIRS [OTIA], DEPARTMENT OF INTERIOR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Guam [Mr. UNDERWOOD] is recognized for 15 minutes.

Mr. UNDERWOOD. Mr. Speaker, my major concern here in Congress and with the Clinton administration is Guam and how insular affairs policy is formulated and administered. I sit on the Natural Resources Subcommittee on Interior Affairs and I carefully monitor the activities of the Department of the Interior and, in particular, the Office of Territorial and Interior Affairs [OTIA].

I applaud the appointment of Bruce Babbitt as Secretary. In the past months, I have enjoyed working with him and his able and competent staff.

It is my understanding that the administration will soon appoint a distinguished lawyer to the position of Assistant Secretary of Territorial and International Affairs. I support the administration's plans and hope that the nomination process proceeds promptly so that this person can begin working on critical issues affecting Guam and the other territories.

I am disappointed that the administration, however, does not intend to nominate a candidate from one of the territories. My disappointment is sincere because since last Saturday, March 6, it has been 32 years since a person from the territories has been appointed to this position. In 1961, Richard Taitiano from Guam was appointed by President Kennedy to fill the Director of the Office of Territorial Affairs, the precursor of OTIA. In 32 years, no one from Guam, no one from the Virgin Islands, no one from Puerto Rico, no one from American Samoa, no one from the Northern Mariana Islands, has been appointed to a position which has significant influence on policies intimately affecting the lives of people of the territories.

While the administration has apparently made a decision about the Assistant Secretary's position, I believe that it is imperative that this person have a competent staff including people from the territories with experience handling territorial issues. In light of the strategic challenges facing the territories, it is crucial that the administration appoint someone from the territories to fill these additional positions. The administration not only needs to appoint someone who intimately understands the culture and history of the people whose lives are affected by OTIA's decisions, but also someone who understands the issues and the current mood of the people of the territories—someone who can assist the Assistant Secretary in repairing the 12 years of a strained and decayed relationship between the Federal Government and the local governments of Guam and the other territories.

With the current emphasis on diversity and inclusion, the skills and competence of the people from the territories must not be ignored. There are competent people from the territories who can and should be considered for policymaking positions within the Office of Territorial and International Affairs. It would be a refreshing change for the Government to have its own territorial experts and to see their influence on policies.

It would be a mistake, however, to assume that competent people from the territories should only be placed in those departments of sole interest to the territories. Qualified competent people from the territories should be considered for other policymaking positions.

Why not appoint a person from the territories as an associate solicitor?

Why not appoint a person from the territories to the position of Deputy Assistant Secretary of Water and Science? Why not appoint a person from the territories as Director of U.S. Geological Survey? Why not appoint someone from the territories as special assistant to the Director of National Park Service. The citizens from the territories are ready, competent and capable to assume responsible positions in the executive branch; in the spirit of inclusion and with respect for all, I hope that we will see new faces, fresh faces from the territories in executive offices. Thirty-two years have passed since any citizen from the territories has been appointed to a major responsible position.

□ 1720

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. COLLINS of Illinois (at the request of Mr. GEPHARDT), for today, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GREENWOOD) and to include extraneous matter:)

Mr. THOMAS of California.

Mr. REGULA.

Mr. CRANE.

Mr. GOODLING, in two instances.

Mrs. MORELLA.

Mr. MOORHEAD.

Mr. EMERSON.

Mr. GUNDERSON.

Mr. GALLO, in two instances.

Mr. COX, in two instances.

Mr. PETRI.

Mrs. BENTLEY.

Mr. WALSH.

(The following Members (at the request of Mr. FRANK of Massachusetts) and to include extraneous matter:)

Mr. VOLKMER.

Ms. HARMAN.

Mr. ACKERMAN.

Mr. BLACKWELL.

Mr. BROOKS.

Mr. CLAY.

Mr. HOLDEN.

Mr. STOKES.

Mr. ANDREWS of New Jersey.

Mr. BOUCHER.

Mr. HOCHBRUECKNER.

Mr. RICHARDSON.

ADJOURNMENT

Mr. UNDERWOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until Monday, March 15, 1993, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

893. A letter from the Secretary, Department of Defense, transmitting a report on the training of special operations forces, pursuant to Public Law 102-190, section 1052(a) (105 Stat. 1471); to the Committee on Armed Services.

894. A letter from the Secretary of the Army (Installations, Logistics and Environment), Department of Defense, transmitting notification of munitions disposal pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services.

895. A letter from the National Institutes of Health, Director, Department of Health and Human Services, transmitting a copy of the 15th annual report of National Institutes of Health Program in biomedical and behavioral nutrition research and training for fiscal year 1991, pursuant to 42 U.S.C. 288b(c); to the Committee on Energy and Commerce.

896. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 93-15, authorizing the furnishing of assistance from the Emergency Refugee and Migration Assistance Fund for unexpected urgent needs of refugees and other persons in Haiti, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on Foreign Affairs.

897. A letter from the Acting Director of Administration and Management, Department of Energy, transmitting a report of activities under the Freedom of Information Act for calendar year 1992, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

898. A letter from the Chairman, U.S. Consumer Product Safety Commission, transmitting a report of activities under the Freedom of Information Act for calendar year 1992, pursuant to 5 U.S.C. 552(e); to the Committee on Government Operations.

899. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting copies of the report of the Attorney General regarding activities initiated pursuant to the Civil Rights of Institutionalized Persons Act during fiscal year 1992, pursuant to 42 U.S.C. 1997 et seq; to the Committee on the Judiciary.

900. A letter from the Secretary of Defense, transmitting a report on the status of the process for resolution of commercial disputes in Saudi Arabia and the prognosis for such disputes which remain unresolved, pursuant to Public Law 102-396, section 9140; jointly, to the Committee on Appropriations and Foreign Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILMAN (for himself and Mr. RANGEL):

H.R. 1307. A bill to prohibit the involuntary return to Haiti of Haitian refugees outside the United States; jointly, to the Committees on the Judiciary and Foreign Affairs.

By Mr. SCHUMER (for himself, Mr. COX, Mr. NADLER, Ms. MALONEY, Mr. GILMAN, Mr. MORAN, Mr. LEWIS of

Georgia, Ms. WOOLSEY, Mr. WASHINGTON, Mr. COOPER, Mr. ACKERMAN, Mr. CARDIN, Mr. YATES, Ms. MEEK, Mr. KOPETSKI, Mr. RAMSTAD, Mr. DEUTSCH, Mr. PRICE of North Carolina, Mr. SWIFT, Mr. SHEPHERD, Mr. TOWNS, Mrs. MORELLA, Mr. CRAPO, Mr. FRANK of Massachusetts, Mr. BERMAN, Mr. EDWARDS of California, Ms. BYRNE, Ms. PELOSI, Mr. SUNDQUIST, Mr. BRYANT, Mr. HUTCHINSON, Mrs. UNSOELD, Ms. MOLINARI, Mr. HALL of Ohio, Ms. SLAUGHTER, Mr. HASTINGS, Mr. GUTIERREZ, Mr. WELDON, Mr. GORDON, Mr. SPRATT, Mr. SAWYER, Mr. ANDREWS of New Jersey, Mr. RUSH, Mr. LEHMAN, Mr. GLICKMAN, Mr. GONZALEZ, Mr. JOHNSTON of Florida, Mrs. JOHNSON of Connecticut, Mr. MATSUI, Mr. OWENS, Mr. MARTINEZ, Mr. McDERMOTT, Mr. PORTER, Mr. JEFFERSON, Ms. ESHOO, Mr. HERGER, Mr. SAXTON, Mr. SMITH of Texas, Mr. McHALE, Mr. SANDERS, Ms. WATERS, Mr. WYNN, Mr. THORNTON, Mr. NEAL of North Carolina, Mr. WYDEN, Ms. MARGOLIES-MEZVINSKY, Mr. LANTOS, Mr. REYNOLDS, Mr. LEVY, Mr. STUDDS, Mr. LINDER, Mr. BLACKWELL, Mr. MINETA, Mr. PAYNE of New Jersey, Ms. MCKINNEY, Mr. TORRICELLI, Mr. KNOLLENBERG, Mr. SERRANO, Mr. SABO, Mr. BARRETT of Wisconsin, Mr. MACHTLEY, Mr. SISISKY, Mr. TORRES, Mr. DELLUMS, Mr. DEFazio, Mr. WAXMAN, Mr. STARK, Mr. SHAYS, Mr. SCOTT, Mr. FROST, Mr. LEVIN, Mr. FILNER, Mr. PETEGEREN, Mr. STRICKLAND, Mr. FINGERHUT, Mr. HOCHBRUECKNER, Mr. GEJDENSON, Mr. FRANKS of Connecticut, Mr. GOODLATTE, Mr. HOUGHTON, Mr. LIGHTFOOT, Mr. SCHIFF, Mr. TALENT, Mr. BEILENSEN, Ms. LOWEY, Mr. HANSEN, Ms. DELAURO, Mr. MFUME, Mr. HOYER, Ms. NORTON, Mr. ORTON, Mr. GUNDERSON, Mr. WILLIAMS, Mr. HAMBURG, Mr. KLEIN, Mr. DICKS, Mr. STUMP, Mr. EVANS, Mr. SKAGGS, Mr. STOKES, Mrs. COLLINS of Illinois, Ms. VELÁZQUEZ, Mr. VENTO, Mr. GENE GREEN, Mr. ANDREWS of Maine, Mr. BACCHUS of Florida, Mr. FAZIO, Mr. COPPERSMITH, Mrs. KENNELLY, Mr. DERRICK, Mr. SWETT, Mr. LAZIO, Ms. FOWLER, Mr. FRANKS of New Jersey, Mr. RAVENEL, Mr. McKEON, and Mr. GALLO).

H.R. 1308. A bill to protect the free exercise of religion; to the Committee on the Judiciary.

By Mr. ANDREWS of New Jersey (for himself and Mr. PETRI):

H.R. 1309. A bill to amend the Fair Labor Standards Act of 1938 relating to the minimum wage and overtime exemption for employees subject to certain leave policies; to the Committee on Education and Labor.

By Mr. BAKER of Louisiana:

H.R. 1310. A bill to prohibit any policy relating to benefits provided to spouses of members of the Armed Forces that would make such benefits available to homosexual partners of members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. BAKER of Louisiana (for himself, Mr. EMERSON, Mr. LIGHTFOOT, Mr. WALSH, Mr. BUNNING, Mr. KYL, Mr. BEREUTER, Mr. INHOFE, and Mr. LIVINGSTON):

H.R. 1311. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for interest on higher education loans and to

permit penalty-free withdrawals from qualified retirement plans to pay for higher education expenses; to the Committee on Ways and Means.

By Mr. BOUCHER (for himself, Mr. FIELDS of Texas, Mr. SLATTERY, Mr. OXLEY, Mr. RICHARDSON, Mr. BARTON of Texas, Mr. LEHMAN, Mr. GILLMOR, Mr. HUGHES, Mr. HUTCHINSON, Mr. SPRATT, Mr. BLILEY, and Mr. HALL of Texas):

H.R. 1312. A bill to recognize the unique status of local exchange carriers in providing the public switched network infrastructure and to ensure the broad availability of advanced public switched network infrastructure; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. BROOKS (for himself, Mr. FISH, Mr. EDWARDS of California, and Mr. BOUCHER):

H.R. 1313. A bill to amend the National Cooperative Research Act of 1984 with respect to joint ventures entered into for the purpose of producing a product, process, or service; to the Committee on the Judiciary.

By Mr. BRYANT:

H.R. 1314. A bill to amend chapter 1 of title 9 of the United States Code to permit each party to a sales and service contract to accept or reject arbitration as a means of settling disputes under the contract; to the Committee on the Judiciary.

By Mr. LAFALCE:

H.R. 1315. A bill to strengthen current Federal law and regulation to protect consumers in connection with the representation and sale of franchise businesses; to facilitate increased public disclosure regarding franchise opportunities, to enhance common law remedies for purchasers of franchises, and for other purposes; jointly, to the Committees on Energy and Commerce and the Judiciary.

H.R. 1316. A bill to establish minimum standards of fair conduct in franchise business relationships, and for other purposes; to the Committee on the Judiciary.

H.R. 1317. A bill to revise current Federal law and procedure to provide consumers with comprehensive and accurate statistical information about franchising and franchise practices, and for other purposes; jointly, to the Committees on Energy and Commerce and Post Office and Civil Service.

By Mr. COBLE:

H.R. 1318. A bill to provide for the liquidation or reliquidation of a certain entry of warp knitting machines as free of certain duties; to the Committee on Ways and Means.

By Mr. GLICKMAN (for himself, Mr. FAWELL, and Mr. PORTER):

H.R. 1319. A bill to provide for the reorganization of the U.S. Department of Agriculture; to the Committee on Agriculture.

By Mr. GOODLING:

H.R. 1320. A bill to amend the Internal Revenue Code of 1986 to exclude certain employee productivity awards from gross income; to the Committee on Ways and Means.

By Mr. HORN (for himself, Ms. PELOSI, Mr. WELDON, Mr. BACHUS of Alabama, Mr. DORNAN, and Mr. KIM):

H.R. 1321. A bill to amend the Defense Base Closure and Realignment Act of 1990 to require the Secretary of Defense and the Defense Base Closure and Realignment Commission to consider military installations outside the United States for closure and realignment in addition to military installations inside the United States; to the Committee on Armed Services.

By Mr. KOLBE (for himself, Mr. TORRES, Mr. POSHARD, Mr. HYDE, Mr. MONTGOMERY, Mr. FLAKE, Mr. MI-

NETA, Mr. STUMP, Mr. SABO, Mr. MOAKLEY, Mr. DREIER, Mr. KILDEE, Mr. BONIOR, Mr. RAMSTAD, Mr. PACKARD, Mr. COSTELLO, Mr. HAYES, Mr. PORTER, Mr. COX, Mr. LAFALCE, Mr. BLACKWELL, Mr. MARKEY, Mr. MCDADE, Mr. MURTHA, Mr. WELDON, Mr. PETRI, Mr. BOUCHER, Mr. FAWELL, Mr. SAXTON, Mr. PENNY, Mr. GILLMOR, Mr. WHEAT, Mr. McCREERY, Mr. ZELIFF, Mr. HALL of Ohio, Mr. PICKETT, Mr. CUNNINGHAM, Mr. BOEHNER, Mr. HANCOCK, Mr. WALSH, Mr. EMERSON, Mr. DORNAN, Mrs. VUCANOVICH, Mr. HASTERT, Mr. BATEMAN, Mr. McHUGH, Mr. BUNNING, Mr. HOBSON, Mr. SARPALIUS, Mr. PASTOR, Mr. LANTOS, Mr. HEFNER, Mr. GREENWOOD, Mr. MORAN, Mr. SAWYER, Mr. GORDON, Mr. SISISKY, Mr. RAVENEL, Mr. EVANS, Mr. KLUG, Mr. PARKER, Mr. GOODLATTE, Mr. FROST, Mr. RIDGE, Mr. CLEMENT, Mr. HINCHEY, Mr. BOEHLERT, Mr. NEAL of Massachusetts, Mr. BORSKI, Ms. NORTON, Mr. PAYNE of Virginia, Mr. WILSON, Mr. CRANE, Mr. EWING, Mr. BACCHUS of Florida, Mr. OXLEY, Mr. BREWSTER, Mr. BILIRAKIS, Mr. SANGMEISTER, Mr. CARDIN, Mr. TORKILDSEN, Mr. VENTO, Mr. BEVILL, Mr. ROSE, Mr. SANTORUM, Mr. HOLDEN, Mr. UPTON, Mr. BLILEY, Mr. MFUME, Mr. PETERSON of Minnesota, Mr. SHAYS, Mr. MCCLOSKEY, Mr. INHOFE, Mr. SWETT, Mr. HOCHBRUECKNER, Mr. TAYLOR of North Carolina, Mr. LANCASTER, Mr. MOORHEAD, Mr. RICHARDSON, Mr. SUNDQUIST, Mr. TORRICELLI, Mr. SPRATT, Mr. SCHAEFER, Mr. GRANDY, Mr. STOKES, and Mr. SHAW):

H.R. 1322. A bill to provide for the minting and circulation of \$1 coins, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Ms. PELOSI:

H.R. 1323. A bill to provide demonstration grants to institutions of higher education for the purpose of providing education and training in environmental restoration to displaced defense workers and young adults; to the Committee on Education and Labor.

By Mr. PENNY:

H.R. 1324. A bill to amend title 38, United States Code, to revise the rules relating to crediting of third-party reimbursements received by the United States for the costs of medical services and hospital care furnished by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. RICHARDSON:

H.R. 1325. A bill to amend the Internal Revenue Code of 1986 to provide tax credits for Indian investment and employment, and for other purposes; to the Committee on Ways and Means.

H.R. 1326. A bill to suspend temporarily the duty on rifabutin (dosage form); to the Committee on Ways and Means.

H.R. 1327. A bill to amend title XVIII of the Social Security Act to provide for a limitation on the use of claim sampling to deny claims or recover overpayments under the Medicare Program; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. ROSE (for himself, Mr. THOMAS of California, Mr. ROBERTS, Mr. GINGRICH, Mr. GEJDENSON, and Mr. KLECZKA):

H.R. 1328. A bill to establish in the Government Printing Office a means of enhancing electronic public access to a wide range of Federal electronic information; to the Committee on House Administration.

By Mr. SCHUMER (for himself and Mr. SENSENBRENNER):
H.R. 1329. A bill to amend the Contract Services for Drug Dependent Federal Offenders Act of 1978 to provide additional authorizations of appropriations; to the Committee on the Judiciary.

By Mr. HAYES (for himself, Mr. RIDGE, Mr. TAUZIN, Mr. YOUNG of Alaska, Mr. BREWSTER, Mr. SHUSTER, Mr. BROOKS, Mr. FIELDS of Texas, Mr. NATCHER, Mr. CLINGER, Mr. MONTGOMERY, Mr. EMERSON, Mr. THOMAS of California, Mr. LAUGHLIN, Mr. INHOFE, Mr. PAXON, Mr. LAFALCE, Mr. CUNNINGHAM, Mr. VOLKMER, Mrs. VUCANOVICH, Mr. GRANDY, Mr. WILSON, Mr. PICKETT, Mr. BAKER of Louisiana, Mr. DELAY, Mr. ROTH, Mr. PARKER, Mr. CLEMENT, Mr. HEFNER, Mr. POMBO, Mr. PACKARD, Mr. MURPHY, Mr. SARPALIUS, Mr. THOMAS of Wyoming, Mr. SMITH of Oregon, Mr. EWING, Mr. HANSEN, Mr. BLILEY, Mr. PETE GEREN, Mr. CRAPO, Mr. CONDIT, Mr. LIVINGSTON, Mr. BATEMAN, Ms. LAMBERT, Mr. LIGHTFOOT, Mr. MCCRERY, Mr. POSHARD, Mr. WALKER, Mr. SOLOMON, Mr. LANCASTER, Mr. STENHOLM, Mr. SKELTON, and Mr. ORTON):

H.R. 1330. A bill to amend the Federal Water Pollution Control Act to establish a comprehensive program for conserving and managing wetlands in the United States, and for other purposes; jointly, to the Committees on Public Works and Transportation and Merchant Marine and Fisheries.

By Mr. SCHUMER (for himself and Mr. SENSENBRENNER):

H.R. 1331. A bill to amend the Comprehensive Drug Abuse Prevention and Control Act of 1970 to control the diversion of certain chemicals used in the illicit production of controlled substances, to provide greater flexibility in the regulatory controls placed on the legitimate commerce in those chemicals, and for other purposes; jointly, to the Committees on Energy and Commerce and the Judiciary.

By Mr. SWIFT (for himself, Mr. ROSE, and Mr. LIVINGSTON):

H.R. 1332. A bill to amend the Internal Revenue Code of 1986 and title II of the Social Security Act to expand the Social Security exemption for election officials and election workers employed by State and local governments; to the Committee on Ways and Means.

By Mr. THOMAS of California:

H.R. 1333. A bill to provide for improved consultation between the Secretary of Agriculture and the U.S. Trade Representative regarding the prohibition or regulation of the importation of fruits and vegetables into the United States; jointly, to the Committees on Agriculture and Ways and Means.

By Mr. WYDEN:

H.R. 1334. A bill to amend the Public Health Service Act to establish a process to provide for reasonable prices for drugs, devices, and other tangible products made available to the public as a consequence of funding by the National Institutes of Health, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GOODLING (for himself and Mr. TRAFICANT):

H.J. Res. 149. Joint resolution designating July 4, 1993, through July 10, 1993, as "Buy American Week"; to the Committee on Post Office and Civil Service.

By Mr. GOODLING:

H. Con. Res. 62. Concurrent resolution encouraging employee achievement awards; to the Committee on Education and Labor.

By Mr. WYDEN (for himself and Mr. RICHARDSON):

H. Con. Res. 63. Concurrent resolution concerning the establishment of a North American Commission on the Environment; to the Committee on Foreign Affairs.

By Mr. PAYNE of New Jersey (for himself and Mr. JOHNSTON of Florida):

H. Res. 128. Resolution concerning democracy for Zaire; jointly, to the Committees on Foreign Affairs, Banking, Finance and Urban Affairs, the Judiciary, and Ways and Means.

By Mr. RANGEL (for himself and Mr. OXLEY):

H. Res. 129. Resolution to establish the Select Committee on Narcotics Abuse and Control; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII,

56. The Speaker presented a memorial of the General Assembly of the State of New Jersey, relative to the Occhipinti case and Dominican crime operations; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 15: Mr. SHAYS and Mr. TOWNS.
H.R. 18: Mr. CAMP, Mr. OLVER, Mr. SANTORUM, Mr. MEEHAN, Ms. FURSE, Mr. BROWDER, Mr. GEKAS, Mr. RUSH, Mr. GALLO, Mr. BEVILL, Ms. VELÁZQUEZ, Mr. SKELTON, Mr. PARKER, Mr. FIELDS of Louisiana, Mr. SPENCE, Mr. EMERSON, Mr. POMEROY, Mr. TORKILDSEN, Mrs. CLAYTON, Mr. CARR, Mrs. MEEK, Mr. HILLIARD, and Mr. HOEKSTRA.
H.R. 21: Mr. EMERSON, Mr. VOLKMER, Mrs. SCHROEDER, Mr. MACHTLEY, Mr. BACCHUS of Florida, and Mr. BREWSTER.
H.R. 64: Mrs. VUCANOVICH.
H.R. 65: Mr. MOLLOHAN, Mr. BAKER of Louisiana, Mr. FISH, and Mrs. THURMAN.
H.R. 66: Mr. JOHNSTON of Florida.
H.R. 142: Mr. PAYNE of Virginia.
H.R. 145: Mr. GINGRICH, Mr. STUMP, and Mr. ENGLISH of Oklahoma.
H.R. 147: Mr. STUMP and Mr. DORNAN.
H.R. 159: Mr. QUINN and Mr. KIM.
H.R. 167: Mr. TOWNS.
H.R. 303: Mr. KREIDLER, Mr. MOLLOHAN, Mr. BAKER of Louisiana, Mr. FISH, and Mrs. THURMAN.
H.R. 345: Mr. LEVIN.
H.R. 349: Mr. HUTCHINSON.
H.R. 350: Mr. ACKERMAN, Mr. ANDREWS of New Jersey, Mr. COLEMAN, Mr. CONYERS, Mr. DE LUGO, Mr. HASTINGS, Mr. HOCHBRUECKNER, Mr. MCMALE, Ms. MALONEY, Mr. MORAN, Ms. NORTON, and Mr. RICHARDSON.
H.R. 354: Mr. ENGLISH of Oklahoma.
H.R. 358: Mr. CLYBURN, Mr. STOKES, Mr. BERMAN, Mr. FROST, Mr. WASHINGTON, Mrs. BYRNE, and Mr. FILNER.
H.R. 405: Mrs. MALONEY.
H.R. 419: Mr. FISH and Mr. TOWNS.
H.R. 431: Mr. FAZIO and Mr. LANTOS.
H.R. 453: Mr. LIPINSKI, Mr. LAFALCE, Mr. FINGERHUT, Mr. BARTLETT of Maryland, Mr. HUGHES, Miss COLLINS of Michigan, Mr. FISH, and Mr. STRICKLAND.
H.R. 462: Mr. SKEEN, Mr. RICHARDSON, Mr. HOAGLAND, Mr. KREIDLER, Mr. CLAY, Mr. MCDADE, Mrs. MEEK, Mr. PAXON, Mrs. MORELLA, Ms. VELÁZQUEZ, Mr. DICKS, Mr. PARKER, Mr. SPENCE, Mr. BROWDER, Ms. FURSE, Mr. WISE, Mr. BLUTE, Mr. BARRETT of Wisconsin, Mr. GALLO, Mr. BEVILL, Mr.

LEWIS of Georgia, Mr. CARR, Mrs. CLAYTON, Mr. DEFazio, Mr. HANSEN, Mr. HOEKSTRA, and Mr. SWETT.

H.R. 538: Mr. RANGEL, Mr. FROST, and Ms. FURSE.

H.R. 542: Mr. GUTIERREZ and Mrs. MALONEY.

H.R. 549: Mr. HANCOCK, and Mr. MCHUGH.

H.R. 571: Mr. FISH.

H.R. 656: Mr. BACCHUS of Florida.

H.R. 660: Mr. STUDDS, Mr. FALEOMAVAEGA, Mr. LEVY, Ms. SLAUGHTER, and Mr. OLVER.

H.R. 688: Mr. DIAZ-BALART, Mr. THOMAS of Wyoming, Mr. MCCOLLUM, Mr. SENSENBRENNER, Mr. GILCHREST, Mrs. MEYERS of Kansas, Mr. CLEMENT, Mr. ROYCE, Mrs. MORELLA, Mr. FINGERHUT, Mr. YOUNG of Alaska, Mr. HOUGHTON, and Mr. SHAW.

H.R. 739: Mr. PARKER, Mr. BURTON of Indiana, and Mr. COBLE.

H.R. 746: Mr. ANDREWS of Texas and Mr. GOODLATTE.

H.R. 826: Ms. SLAUGHTER, Mr. WHEAT, Mr. HOLDEN, Mr. SCHIFF, Mr. MCCANDLESS, Mr. LIGHTFOOT, Mr. HOUGHTON, Mr. ROMERO-BARCELÓ, Mr. KYL, and Mr. THOMAS of Wyoming.

H.R. 830: Mr. BUYER, Mr. COLLINS of Georgia, Mr. KIM, Mrs. LLOYD, Mr. HOUGHTON, Mr. COOPER, Mr. SCHAEFER, Mr. SCHIFF, Mr. BOEHNER, Mrs. BYRNE, Mr. MCKEON, and Mr. LAZIO.

H.R. 887: Ms. DANNER and Mr. HANCOCK.

H.R. 893: Mr. RUSH, Ms. FURSE, and Mrs. BYRNE.

H.R. 899: Mr. GOSS, Mr. ROBERTS, Mr. BONILLA, Mr. TAYLOR of North Carolina, Mr. DICKEY, and Mr. QUINN.

H.R. 924: Mr. PETERSON of Minnesota.

H.R. 925: Mr. TORKILDSEN, Mr. DOOLITTLE, and Mr. GALLEGLY.

H.R. 961: Mr. ROHRABACHER, Mr. FRANK of Massachusetts, Mr. ANDREWS of Maine, Mr. ARCHER, Mr. GILCHREST, Mr. SLATTERY, Mr. GORDON, Mr. MINGE, Mr. INGLIS, Mr. ARMEY, Mr. SANDERS, Mr. JACOBS, Mr. SHAYS, and Mr. PETRI.

H.R. 966: Mr. DIXON, Mr. EVANS, and Mr. BARRETT of Wisconsin.

H.R. 986: Ms. MCKINNEY and Mr. PAYNE of New Jersey.

H.R. 999: Mr. HANCOCK.

H.R. 1009: Mr. KILDEE, Mr. CRANE, and Mr. PETERSON of Minnesota.

H.R. 1034: Mr. HUNTER, Mr. HUTTO, Mr. LEHMAN, Mr. LIVINGSTON, Ms. MOLINARI, Mr. PRICE of North Carolina, and Mr. QUILLEN.

H.R. 1036: Ms. PELOSI, Mr. STARK, and Mr. DIXON.

H.R. 1044: Mr. WYNN and Mr. ZIMMER.

H.R. 1049: Mr. BLUTE, Mr. GREENWOOD, Mr. WALSH, and Mr. HOUGHTON.

H.R. 1050: Mr. BLUTE, Mr. GREENWOOD, Mr. WALSH, and Mr. HOUGHTON.

H.R. 1067: Mr. DORNAN, Mr. ROHRABACHER, and Mr. MCKEON.

H.R. 1091: Mr. MURPHY, Mr. BEREUTER, Mr. COX, Mr. LEVY, Mr. DOOLITTLE, Mr. HOUGHTON, Mrs. MEYERS of Kansas.

H.R. 1098: Mr. HUTCHINSON and Mr. KLUG.

H.R. 1131: Mr. FISH.

H.R. 1142: Mr. SANDERS, Mr. GILLMOR, Mr. LIGHTFOOT, and Mr. ROTH.

H.R. 1151: Mr. GUNDERSON, Mr. PAYNE of New Jersey, and Mrs. UNSOELD.

H.R. 1161: Mr. SMITH of New Jersey.

H.R. 1242: Mr. DEUTSCH.

H.R. 1253: Mr. HEFLEY, Mr. ROHRABACHER, Mr. BALLENGER, Mr. BOEHNER, Mr. SAM JOHNSTON, Mr. ZELIFF, Mr. HOEKSTRA, Mr. GRAMS, and Mr. STEARNS.

H.R. 1260: Mr. HOCHBRUECKNER.

H.R. 1262: Mr. TOWNS, Mr. KING, Mr. APPLE-GATE, Ms. MOLINARI, and Mr. BERMAN.

H.R. 1293: Mrs. FOWLER and Mr. BAKER of Louisiana.

H.J. Res. 6: Mr. FILNER, Mr. PETE GEREN, Mrs. MEEK, Mr. JOHNSON of Georgia, Mr. LEVY, Mr. LAZIO, Mr. PETERSON of Florida, Mr. EVANS, Ms. BROWN of Florida, Mr. ARCHER, Mr. HUTCHINSON, Ms. PELOSI, Mr. PARKER, Mr. CARDIN, Mr. FALEOMAVEGA, Mr. SISISKY, Mr. SKEEN, Mr. COLEMAN, Mr. OLVER, Mr. SOLOMON, Mr. BLILEY, Mr. OXLEY, Mr. SHAW, Mr. STUMP, Mr. GILLMOR, Mr. HOCHBRUECKNER, Mr. MORAN, Mr. MURPHY, Mr. FORD of Tennessee, Mrs. THURMAN, Mr. SANDERS, Mr. GEKAS, Mr. MACHTLEY, Mrs. VUCANOVICH, Mr. BURTON of Indiana, Mr. MCCLOSKEY, Mr. MARKEY, Mr. CLEMENT, Mr. RAHALL, Mr. LEWIS of Florida, Mr. ACKERMAN, Mr. PAYNE of New Jersey, Mr. HALL of Ohio, Mr. FISH, Mr. MCDADE, Mr. COSTELLO, Mr. COBLE, Mr. CAMP, and Mr. TAUZIN.

H.J. Res. 10: Mr. VALENTINE, Mr. PAXON, Mr. BURTON of Indiana, Mr. OXLEY, Mr.

UPTON, Mr. GIBBONS, Mr. CRANE, Mr. KANJORSKI, Mr. CALLAHAN, Mr. SABO, Mr. COSTELLO, Mr. GOODLING, Mr. BOEHLERT, and Mr. ROWLAND.

H.J. Res. 30: Mr. COLLINS of Georgia and Mr. DOOLITTLE.

H.J. Res. 111: Mr. PICKETT, Mrs. MALONEY, Mr. HAMILTON, Mr. BAKER of Louisiana, Mr. GOODLING, and Mr. JOHNSON of Georgia.

H.J. Res. 142: Mr. HUGHES.

H. Con. Res. 6: Mr. KING and Mr. DELAY.

H. Con. Res. 15: Mr. BECERRA and Mr. FISH.

H. Con. Res. 29: Mr. MCINNIS.

H. Con. Res. 38: Mr. MICA, Mr. SHAW, Mr. SOLOMON, and Mr. LEWIS of Florida.

H. Con. Res. 43: Mr. TORKILDSEN, Mr. FISH, Mr. ZELIFF, Mr. GUNDERSON, Mr. ARMEY, and Mr. LEVY.

H. Res. 47: Mrs. MEYERS of Kansas, Mr. KOLBE, Mr. TORKILDSEN, Mr. FAWELL, Mr. EVERETT, Mr. DUNCAN, Mr. DORNAN, Mr. COX, Mr. BLUTE, Mr. FIELDS of Texas, Mr. GOSS,

Mr. GALLEGLY, Mr. KING, Mr. FRANKS of New Jersey, Mr. LAZIO, Mr. KYL, and Mr. SCHIFF.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.J. Res. 103: Mr. HOLDEN.

PETITIONS, ETC.

Under clause 1 of rule XXII,

17. The SPEAKER presented a petition of the Legislative Counsel Bureau, Nevada, relative to the Spring Mountain National Recreation Area; which was referred to the Committee on Natural Resources.